United Nations S/PV.4200

Security Council

Fifty-fifth year

Provisional

4200th meeting

Wednesday, 27 September 2000, 3 p.m.

New York

President	Mr. Ouane	(Mali)
Members	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Heinbecker
	China	Mr. Shen Guofang
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Namibia	Mr. Andjaba
	Netherlands	Mr. Hamer
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Holbrooke

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-66114 (E)

The meeting was called to order at 3.30 p.m.

Adoption of the agenda

The agenda was adopted

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Bernard Kouchner, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia.

There being no objection, it is so decided.

I welcome Mr. Kouchner and invite him to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, document S/2000/878.

At this meeting, the Security Council will hear a briefing by Mr. Bernard Kouchner, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia. I give him the floor.

Mr. Kouchner: In my presentation I would like to focus on three areas. First, what have we done so far in Kosovo in our 15-month presence, from the moment we arrived in a war-torn Kosovo? Secondly, where do we stand today on our biggest immediate challenge: the preparation of the municipal elections to be held on 28 October — the first democratic elections in Kosovo for at least a generation? And thirdly, what are the biggest challenges ahead and what will be our policy priorities after those elections?

Let me start with how I assess the work that we have done so far since the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) arrived in Kosovo some 15 months ago — very briefly, because I know that members are aware of these matters.

On the political front, we have managed to include political representatives from all communities in our work. We created the Joint Interim Administrative Structure (JIAS) last December.

In the Kosovo Transitional Council, we have 36 members from all communities and from all parts of society debating critical issues. These are lively, stimulating and very important debates. And the debates are very frank — between the communities, not between UNMIK and the Kosovars.

In the Interim Administrative Council (IAC), the pillar heads of UNMIK work together with the leading Kosovo Albanian representatives and with Mrs. Trajkovic from the Serb National Council. Every regulation of UNMIK is discussed here before I, in my capacity as Special Representative of the Secretary-General, take the final decision.

The 20 joint UNMIK-Kosovo administrative departments are all up and running. They have about 60,000 Kosovars from all communities on their payroll; that figure will eventually rise to some 65,000. In other words, the Council is in charge of the payroll of 60,000 to 65,000 civil servants in Kosovo.

I believe that there are a number of other achievements in Kosovo of which members are aware. With the help of the Office of the United Nations High Commissioner for Refugees (UNHCR) pillar of UNMIK, we have managed without major problems the return of close to 1 million refugees. Please note that not only have we managed to deal with those one million persons, but we have also managed to deal with an additional 100,000 returnees, freshly returned mainly from Germany, Switzerland and other European countries. I have asked those countries to stop these returns, because winter is coming.

With the help of the United Nations pillar, we have established a functioning civil administration in all areas of public life everywhere in Kosovo. But I have to say that we got the necessary staff very, very slowly, though now this is close to being done.

With the help of the Organization for Security and Cooperation in Europe (OSCE) pillar, we have developed the media sector and have started a broad-

based effort to build democratization. I will say more about the election process later in my statement.

With the help of the European Union pillar, we have laid the foundation for a functioning market economy. That is easy to say, and easy to set up — but not easy to adapt to the real conditions of life on the spot.

With the help of KFOR, we have demilitarized the Kosovo Liberation Army (KLA) and, with OSCE, we have started to build a genuine Kosovo police. We now have a bit fewer than 2,000 Kosovo police officers; our goal is to have some 4,000 Kosovo police officers in the coming six months to one year.

More recently, in another important example of cooperation with KFOR, we took over the Zvecan lead smelter of the Trepca complex to address an immediate public health emergency and at the same time to lay the foundations for administering Kosovo's assets and creating a multi-ethnic workforce. The whole operation was done for the benefit of the local population of all communities. I have received the most recent numbers from the blood tests among the workers, children and pregnant women in Zvecan; believe me, this was really a health emergency. Already, Serb workers have started again to work at the Zvecan smelter.

My last example of exemplary cooperation by all pillars of UNMIK and KFOR was ensuring security on the critical day of the Federal Republic of Yugoslavia elections last Sunday, 24 September, although I would say that I sometimes would have wished that cooperation to be even stronger and more united.

Of course, there are not only achievements and successes. We at UNMIK, we here in the Security Council, and we in the international community at large should be very frank with ourselves. One key mistake was that we often tried to implement "pure" but unrealistic policy programmes, instead of taking the still-existing conflict circumstances into account. But UNMIK and KFOR are not a post-conflict mission; they are a low-intensity-conflict mission. We had to learn that the absence of war does not mean that the mission area has already entered into a post-conflict situation.

Let me give a few examples. In economics, it was a mistake to try to develop a pure market economy, while neglecting such immediate and basic social needs as shelter, housing, utilities and social employment. In education, it was a mistake at the beginning to insist on multi-ethnic schools, thus de facto preventing minority children from receiving any schooling at all. In justice, we tried to build a local judiciary and failed to bring in international judges and prosecutors, which was necessary. There is also a need to give the Special Representative special powers to build a proper judiciary system. In the media, we tried to work for self-regulating regimes, while the need to take strong decisions was unavoidable. When a Kosovar newspaper publishes the name of a suspect, you cannot accept that, because the so-called suspect will be killed.

I think that we have by now corrected this approach. You have to do both at the same time: address the immediate needs and lay the foundations for sustainable long-term solutions. Of course, the biggest problem that we face is the situation of members of non-Albanian communities. Serbs and Roma, in particular, are often still excluded from daily life and are still under great personal security risks. We have tried to counter this truly deplorable situation with a multitude of initiatives, such as the agenda for coexistence, which includes special assistance programmes for the Serbs and the establishment of specialized local community offices. I inaugurated several of these offices just recently. These offices work exclusively to facilitate access to services for and to increase protection of minority members.

Another key problem that is still very bad is the fate of missing persons and detainees. I am sorry to bother the Council with this problem. I have addressed this issue here several times already. I am glad that UNHCR has appointed a Special Envoy to address their fate, but I fear that not much will be achieved for missing and imprisoned Kosovo Albanians if the international community does not press Belgrade hard to change its so-far uncompromising stance. At this very moment, 68 prisoners recently released from Serb prisons are holding a hunger strike in Kosovo in solidarity with their colleagues still incarcerated. They have reported that they were tortured during their detention. I am extremely concerned about the remaining prisoners, who have been held in Serbia for 17 months and who may now be forgotten by the world during this time of political turbulence in Serbia proper.

Let me go to my second point: preparations for the 28 October elections. Together with OSCE, we

have worked for 14 months to prepare the best possible elections. I would like to address three areas: the technical preparation, the ongoing electoral campaign — including, of course, political violence — and the non-participation of the Serbs in the electoral process.

The civil administration and institution-building pillars of UNMIK — the second and third pillars — have worked hard to conduct a full-fledged voter-registration process. I am confident that we will be able to have a complete and accurate final voters' list ready for the elections on 28 October. Given the magnitude of the task, the fact that there was very little data to start with and Belgrade's policy of non-cooperation, this process has been very complicated, but I am confident that we will have a solid basis for the elections. Around 1 million people have applied to be registered as voters. In addition, we have had a very lively candidate-registration process, with over 5,000 candidates belonging to 19 parties, 2 coalitions, 3 citizens' initiatives and 15 individual candidates.

The electoral campaign started on 13 September. So far, it has gone well, with no major incidents. This was not necessarily to be expected. In August, we experienced a significant upsurge of political violence directed in particular at members of the Democratic League of Kosovo. UNMIK, UNMIK police and KFOR, in another concerted effort, have set in motion a mechanism to address this kind of violence, offering, inter alia, special protection measures for a wide range of candidates. I am happy to report that, since the creation of this mechanism and the beginning of the political campaign, the political violence has decreased substantially. If members are interested, I am ready to distribute statistical charts based on figures collected since the beginning of our mission.

But, of course, violence remains a very difficult issue every day in Kosovo. And, of course, the electoral campaign will go on for another four weeks. We will have to remain very cautious and be able to react quickly to any problems. I think it is fair to say that, both from the technical point of view as well as from the point of view of a clean and calm electoral campaign, all the elements are there to hold successful elections on 28 October. I hope we will.

In this respect, how can we judge the third element: the non-participation of members of the Kosovo Serb minority in these elections? Of course, I respect the decision of the Serb National Council. I respect their argument. It is true that both the security situation as well as the small number of Serb returnees make it difficult for them to participate, but in my view it was a wrong decision and a political mistake. These elections will be just the first of many. Nothing will be prejudiced by participating in them, neither on the Albanian nor on the Serb side, and we are working hard to address the problems of the Serbs. As an example, KFOR and UNMIK police are working every day to improve the security situation of all minority members. Together with Bishop Artemije, we have set up a Joint Committee to facilitate the return of displaced Serbs to their homes in Kosovo.

Let me conclude by saying that I am happy that the Kosovo Serbs are willing to participate in the elected municipal structures and that the Albanians have already accepted such a process. At the end of the day, we will have representative municipal assemblies with participants from all national communities. It will take time, but we remain determined to foster coexistence and thus lay the foundations for eventual reconciliation. The first democratic elections will be a very important step in such a process.

(*spoke in French*)

I would now like to briefly address the third point. What is ahead? Where are we going? What will happen in Kosovo after the municipal elections? How do we envisage the path ahead? In my view there are several problems or solutions.

First of all, we will have to implement the electoral results in the municipalities. We have to turn the results of the municipal elections into a reality, and it might not be easy. We hope everything happens in a proper and calm way. We know that each candidate signed an attestation according to which he promises to respect not only the outcome of the elections, but to assume all democratic responsibilities in the towns that are involved. The democratic tradition in Kosovo, even if it did exist a long time ago, has not existed for some years.

But, I believe that the Kosovars really are ready for and aspire to establishing true democracy. On behalf of the United Nations and the United Nations Interim Administration Mission in Kosovo (UNMIK), I travelled around in the provinces to explain the position of the United Nations mission. I called it my "outreach campaign". I spoke with thousands and

thousands of people in each town who came to hear what our position is and to ask questions.

The general impression that I can give you — which I believe to be the right one — is that the voters as well as the candidates want there to be a democratic election. They are ready for democratic government in the municipalities and elsewhere.

But that does not suffice. Even if that does happen — and I hope that it does, remember that this mission was said to be impossible — even if it becomes even slightly possible — and I would be the first to rejoice — that would not be sufficient. The ambiguities of Security Council resolution 1244 (1999) remain. We have to explain what appears in resolution 1244 (1999), that is to say, its very reason for being: self-government and substantial autonomy.

We want the municipal authorities to function with those principles in mind, i.e. self-government and substantial autonomy. For that purpose, account must be taken of those elections so as to strike a new balance amongst the administrative elements that have been established over the past 15 months. Some parties will show themselves to be stronger than others. That also must be taken into account. And I will make proposals along that line.

I have therefore been proposing to the Kosovars whom I have been meeting in all these 30 municipalities of Kosovo a pact. We changed the name from a contract. The pact is that municipal elections are to be held in a proper, democratic and calm way and then a discussion of substantial autonomy would follow. Take your municipal fate in hand in a democratic and proper way, by means of a vote, and then we can hold further discussions. UNMIK and the Kosovars can find the best way to give them greater responsibility, because greater responsibility is what is needed. Greater responsibility would be given to an administration that would then be closer to the Kosovars.

Some points must be made quite clear. I call upon them to reduce ethnic violence. The Serbs have to be free to travel from their enclaves — I won't call them ghettos, but they are a lot like them. Not only must the political authorities who have signed statements, but the Kosovars themselves must agree to allow Serbs to become full-fledged citizens in the Kosovo they have.

In that connection I am encouraged — I have spoken to you about this and you can look at the figures — by the improvement in the level of violence and especially since the campaign began. Communities must all enjoy the same rights. This is still not yet the case. One hears that it will take an entire generation to accomplish that, well I know that. But I think that the degree of political maturity in Kosovo is such that it could happen faster.

Secondly, we have to develop the economy of course. And that is a very big job. It is not privatization — that is too technical, too theoretical when you look at the reality — but there has to be some opening of enterprises. In the former Yugoslavia, you had public State property, State property, cooperative property, etc. We have to work to give investors confidence and develop the economy. We're still too dependent on donors, and the European Union in particular, which has shown itself to be very generous.

Lastly, we definitely have to place our trust in the Kosovars, whatever the difficulties may be, whatever residual hatred may appear, despite our fatigue, even with the depression that we feel in the evening when we see that we have not made enough headway. Nonetheless, the Kosovars must be given responsibility. There is no democratic solution in Kosovo without going through the phase of administration being handed over to the Kosovars and democracy given to them as well.

Otherwise — there are some unfortunate signs that show us that we might not achieve our end — otherwise, as I say, the international presence, in particular the military presence might become occupation forces, and that's why I think that we have to get ourselves out of this uncertain situation as soon as possible so that the Kosovars can be given a positive view of what their future can be, as well as the future of their children.

Mr. Holbrooke (United States of America): Thank you, Mr. President, for calling this important briefing. Thank you, Mr. Secretary-General, for demonstrating by your presence here today the importance that you attach to this issue and the support that you, along with all of us, have for Bernard Kouchner.

It is a great honour to welcome my good friend, Bernard Kouchner, back to the Security Council again

to hear his report, and again, as I have said so many times before, I don't think one could have picked a better person for the job. He has approached it with just the right mix of creativity and firmness. He has respected his mandate. He is protecting, or trying to protect under exceedingly difficult circumstances, the interests of all Kosovars. He has my Government's full support.

We have listened carefully to what he said, and we support what he has done. We would suggest strongly that all the people of Kosovo be allowed to wage a campaign free of intimidation in the elections next month. This is a very important election in Kosovo. It will be a historic watershed for the Albanian people of Kosovo, and for the Serb minority in Kosovo, it will be a chance to pick their own destiny within the framework of Security Council resolution 1244 (1999).

But, talking about elections, allow me to switch briefly to the very dramatic events that are now taking place in Yugoslavia. We are in the middle of a period of immense historical importance in Yugoslavia. The people have voted resoundingly for a democratic future, and the world is listening and watching even as we speak.

I commend you, Secretary-General, for the statement you made this morning, and I would like to also quote President Clinton, who said earlier this morning:

> "What Europe and the United States should do is support the expressed will of the Serbian people, and it certainly appears from a distance that they had a free election and somebody is trying to take it away from them. But whatever we do, I think, should be consistent with the wishes of the majority of the people there."

The regime in Belgrade has taken every step to prevent a fair election. It tried to rig the election and distort the results. The Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) and the European Union have concluded that the election was marred by widespread irregularities. President Milosevic even tried to manipulate the vote in Kosovo, as he has before.

In this context, I wish to commend again Bernard Kouchner and his colleagues in the United Nations Interim Administration Mission in Kosovo (UNMIK), as well as the North Atlantic Treaty Organization (NATO) forces and other forces in the Kosovo Force (KFOR), for the extraordinarily important work they did last Sunday to prevent an outcome in Kosovo that could have created a false outcome throughout the rest of Yugoslavia. I cannot say how important it was that Bernard Kouchner was out early, showing the world that there was an absolute theoretical, mathematical limit to the number of votes that were cast in Kosovo. I commend you, Mr. Kouchner, for an extraordinarily important contribution to determining the free will of the Yugoslav people, in your activities within the framework of your responsibilities as the Secretary-General's Special Representative.

Again, let me be clear: we are at a historic moment in the destiny of the Balkans. The vote appears to have been a landslide for change and democracy and Europe. And even the Yugoslav Government has now been forced to concede that Milosevic received fewer votes than his opponent. By its own calculations, which nobody else in the world accepts, he came out at least eight points behind. The call for a second round is a clear attempt to defeat the expressed will of the Yugoslav people.

Credible evidence shows that the opposition is definitely on its way to a resounding victory. The opposition's conclusions rest on official data compiled at all polling places where the votes were actually counted with all parties present. This is in sharp contrast to the regime's preliminary results, for which no supporting credible evidence has been produced. The opposition is therefore correct when it says that there is no need for a second round.

Let us in the Security Council, in this historic Chamber, in this most important of international peacemaking and peacekeeping bodies, have no illusions about what is going on. We in this Chamber and elsewhere have dealt first hand with the Belgrade regime's failed policies in Bosnia, Kosovo and Croatia. We saw President Milosevic's disregard for the electorate in 1996, but we believe that time is running out. The brave voters of Serbia have now made it clear, with their message of determination, that they wish to end Yugoslavia's international isolation, rebuild its broken economy and form a Government that is neither feared by, nor fears, its people.

And what of the international community? It will, can and should play an important role in supporting

democratic government in Yugoslavia. Obviously, when and if — and I believe the correct word here is "when" — a democratically chosen Government is installed in Belgrade, it will not agree with every position of the outside world, and the outside world, including the United States, will not agree with every position that it takes. But that is the nature of the free exchange between independent States. If the winds of change blow true, a Government in Belgrade, committed to respecting the will of its people, will take its rightful place in the international community — including, I believe, in the United Nations.

We, the United States, will be prepared to take steps with our friends and allies to lift existing sanctions once a democratic Government has assumed power. We will welcome its application for membership in the United Nations, in accordance with existing General Assembly and Security Council resolutions. Yugoslavia will become a participant and a partner in regional efforts to strengthen and build the institutions of free market democracy.

These are very hopeful developments. As I said at the outset, and stress, we are at a watershed moment in the history of the Balkans. The proud people of Yugoslavia have finally been able to make a statement about what they wish. It is time for their voice to be heard.

In conclusion, let me thank Mr. Kouchner again for his exhaustive efforts, his Herculean energies, his commitment in the face of extraordinary difficulties — physical, bureaucratic, political — and his personal sacrifices on behalf of the cause of peace in Kosovo, as well as his contribution to the most important electoral event in the Balkans in, in my view, the entire post-cold-war period, if not the entire post-Second-World-War period.

The President (*spoke in French*): I thank the representative of the United States for his kind words addressed to me.

Mr. Chowdhury (Bangladesh): Bangladesh warmly welcomes Mr. Kouchner today to brief us at the Council. We have listened with great attention to his very important statement. We are heartened by the achievements of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the positive developments in Kosovo, but at the same time feel that the pace of return to normalcy needs to be accelerated. UNMIK has come a long way against many odds in the six months since the Security Council mission visited Kosovo, where we had occasion to see first hand the enormity and complexity of the issues.

I would make the following points today on the report (S/2000/878) of the Secretary-General and the presentation of Mr. Kouchner.

First, regarding the elections, we welcome the steps taken by Mr. Kouchner for holding the municipal elections in Kosovo on 28 October. These elections will be the first major step towards the development of democracy. The timely completion of the civil registration process, particularly of the ethnic Albanian community, is a big step forward. We regret, however, that the vast majority of the Kosovo Serbs and some other minority communities could not participate in registration due to intimidation by hardline elements. We emphasize the importance of full participation by all in the local administration in order to restore effective peace.

Secondly, regarding the participation of moderate Serbs, we also welcome the participation since June in the Interim Administrative Council (IAC) and the Kosovo Transitional Council (KTC) of the Serb National Council, under the leadership of Bishop Artemije. This is a success for UNMIK in its outreach efforts aimed at including minority communities in democracy-building in Kosovo. We hope that others will follow the lead and join together in the quest for peace.

Thirdly, regarding the security situation, there have been sporadic eruptions of politically motivated violence in recent months in Kosovo. There is a likelihood that such incidents will increase in the pre-election period. Major efforts, including the reassignment of resources, should be made to curb the probability of any incidents that might disrupt the electoral process. We encourage the high priority given by UNMIK in deterring election-related violence and in enforcing the election code of conduct. We are disturbed by the continuation of incidents of civil violence and unrest in different parts of Kosovo, including Mitrovica. The leaders in Kosovo must do more to end the cycle of violence. We call on all Kosovars, irrespective of their ethnic origins, to unite against those who disrupt peace and pose a threat to building a safe, democratic and multi-ethnic future for Kosovo. We encourage UNMIK in its continued efforts

to improve security, the rule of law and the return of refugees and internally displaced persons.

Fourthly, the judiciary in Kosovo has been dysfunctional for quite a long time, mainly due to the lack of judges. We welcome the appointment last month of an additional 136 professional judges and prosecutors and 309 lay judges in courts of different regions of Kosovo, thus bringing the number of judges close to the target level. We observe in the report that the reinforcement of the judicial system has resulted in greater levels of activity for dispensing justice. This, accompanied by an improved penal system, will contribute greatly towards the establishment of the rule of law.

Fifthly, we have referred to the problem of missing persons and detainees quite a number of times in the Council. It remains a major source of tension between the different ethnic communities. Continuation of this situation is counter-productive to attempts at building inter-ethnic harmony. We have underscored the appropriateness of the appointment of a special envoy of the Secretary-General for missing persons and detainees. In this context, we welcome the appointment by the High Commissioner for Human Rights of Ambassador Henrik Amneus as her Special Envoy on persons deprived of liberty, including prisoners, detainees and missing persons in the Federal Republic of Yugoslavia. We hope that his role will make a substantial contribution in resolving the fate of nearly 3,500 persons who remain missing and detained.

In conclusion, I would like to note that the restoration of peace to a region which has been a hotbed of conflict and inter-ethnic violence is a task of immense complexity. The notable progress made thus far shows that efforts are on the right track. I pay special tribute to the untiring efforts of Mr. Kouchner in leading the attempts of the United Nations in establishing democracy, peace and security in Kosovo. I commend him for carrying out a difficult job with patience and persistence.

Mr. Levitte (France) (*spoke in French*): The detailed presentation by the Special Representative of the Secretary-General, complementing the Secretary-General's report, demonstrates the extent of the task carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK) in all areas since the summer of 1999. Mr. Bernard Kouchner has also described very precisely the provisions made by UNMIK a month before the municipal elections of 28 October to create the necessary conditions for the proper development of this important phase.

Since its creation, the work of UNMIK, persistent and methodical, has given good results. My delegation pays a warm tribute to it and to Mr. Bernard Kouchner and his entire team. The United Nations Mission has struggled relentlessly, particularly against acts of ethnic violence, discrimination and violations of human rights; unacceptable traps by extremists to delay the necessary reconciliation within Kosovar society. The European Union has clearly condemned them. But thanks to the efforts of the United Nations and the dialogue conducted by the Special Representative with community leaders, as well as the many proximity initiatives launched throughout the province, the wall of mistrust is beginning to crack.

The return of representatives of the Serb community to the mixed administrative structures following the signing of the agreement between Mr. Kouchner and Bishop Artemije on the security of the Serb populations is an indication of this. The adoption of the Airlie Declaration and the unanimous support the interim authorities have given it is another indication. The "pact for Kosovo society" is also promising. Patience and determination are thus beginning to be slowly rewarded.

I emphasize that, here in this Chamber, because we do not have good news to celebrate every day. The success of the United Nations team in Kosovo is a good example of what the United Nations can accomplish.

Methodical work has been necessary for more than a year. Everything has had to be rebuilt in every sector, even from scratch. Administrations have been set in motion again, people have been trained, sources of finance have been established. UNMIK's humanitarian activities have been successful. Reconstruction and development are now high on the international agenda. The European Union, by far the main donor of funds to Kosovo and the Balkans, plays an essential role. Its total contribution to Kosovo in 1999 and 2000 is nearly 8 billion euros, or nearly $7 billion. Recently the European Union, as well as France at the national level, has made a more specific contribution to combat the environmental and public health risks arising from the Trepka complex and the Zvecan factory.

I also wish to underscore the special importance of the municipal elections to be held on 28 October in the province. This will be a landmark election with the passage of Kosovo to a genuine autonomy, whose contours, as Mr. Kouchner has said, have yet to be defined. The elections are being actively prepared by UNMIK; with the assistance of the Organization for Security and Cooperation in Europe (OSCE), the process of registering approximately 1 million Kosovars was conducted under exemplary conditions, even if we must regret that the pressures of the Belgrade regime drove the members of the Serb community to remain outside this process. Moreover, every effort has been made to ensure a genuine democratic debate, sheltered from the provocations of the enemies of freedom. The United Nations is mindful of these and is vigilant to ensure by persuasion and when necessary firmness, respect for the rules of the game. We encourage UNMIK and the Special Representative of the Secretary-General to persevere in this direction.

In the Federal Republic of Yugoslavia, on 24 September, despite the gross falsifications of those in power, the Serbian people turned out *en masse* and pronounced themselves unequivocally in favour of democratic change.

We welcome the security measures taken In Kosovo by UNMIK and KFOR to make it possible for those who wished to vote to do so freely. Let us all hope that in a month's time the voters of Kosovo will have overwhelmingly made an equally clear choice — peaceful rejection of hatred, of political manipulation, of attacks on freedom and of contempt for minorities — the choice of democracy, reconciliation and the participation of all in the conduct of civil affairs; in other words, the choice of Europe and the future. Let us together ensure that that choice is not thwarted.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): I thank the Special Representative of the Secretary-General, Mr. Bernard Kouchner, for his briefing. Unfortunately, his statement has not given cause for either optimism or a change in our well-known assessment of the persistent crisis situation in Kosovo, Federal Republic of Yugoslavia.

Resolution 1244 (1999) is being implemented partially and in an unsatisfactory manner. As in the past, the principles agreed in the framework of that resolution for the settlement of the Kosovo crisis continue to be disregarded. Despite isolated positive developments and the selfless efforts of the personnel of the international presence under the most dire conditions, the leadership of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) continue to act in contravention of the Security Council and in violation of resolution 1244 (1999) on many questions of principle.

It is true that Bernard Kouchner has been endowed with great powers, but they are not unlimited. He is compelled to act strictly within the framework of his mandate. We consider absolutely inadmissible the statements by Mr. Kouchner in the interview in *The Financial Times* of 16 September, where he openly preached his own views and actually called for independence for Kosovo. We also find inappropriate his references to alleged ambiguities in resolution 1244 (1999). The provisions of that resolution that are being disregarded today were formulated very, very clearly. The responsibility for their non-implementation rests squarely shoulders of the leadership of UNMIK and KFOR.

We view the recent incident in which the Russian Ambassador to the Federal Republic of Yugoslavia was detained at Kosovo's administrative border by KFOR soldiers who attempted to search him as a flagrant violation of the provisions of resolution 1244 (1999), of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and of the Vienna Convention on Diplomatic Relations. There were similar acts by KFOR with respect to diplomats from Spain, Japan and other countries. KFOR personnel demanded that the head of the Belgrade office of the United Nations High Commissioner for Human Rights, Ms. Barbara Davis, undergo a search of her person. All this can be viewed only as attempts to impede diplomatic representatives from working on part of the territory of the Federal Republic of Yugoslavia where they are accredited. We find absolutely unacceptable the requirement to have any additional authorization beyond the normal diplomatic accreditation to Belgrade in order to perform diplomatic functions in Kosovo.

Russia has made a very strong protest against these incidents. However, the leadership of KFOR and UNMIK have not only failed to take adequate measures to put an end to the illegal practice of searching foreign diplomats, but have also involved UNMIK's

international police and the Albanian police in those searches. There is thus a deliberate policy to impede the work of diplomatic personnel accredited to Belgrade, a policy aimed at cutting off the Belgrade diplomatic corps from Kosovo, illustrating the customary attempt to tear Kosovo away from Yugoslavia.

The 14 September statement of the Ministers for Foreign Affairs of the Contact Group stressed that the security situation in Kosovo continued to be tense. KFOR and UNMIK themselves recognize the unsatisfactory security situation with regard to the non-Albanian population, the removal of illegally held stocks of weapons and the inadequate control of the activities of former members of the Kosovo Liberation Army (KLA), who are now incorporated in the Kosovo Protection Corps. In this context, a recent decision of the Belgian division of the influential organization Doctors Without Borders is telling. It decided to cease its activities in Kosovo due to the inability of KFOR and UNMIK to stop the "ethnic cleansing", terrorism and violence against the non-Albanian population of the region.

As a result of the campaign of violence unleashed by Kosovo Albanian extremists, members of the non-Albanian communities continue to leave the area. As before, nothing is being done to create safe conditions for a return to the region of non-Albanian refugees. There continues to be a danger of the spread of inter-ethnic conflict to communities in the south of Serbia. It is essential to do everything possible to prevent the emergence of a new threat to regional peace and security.

As we have done before, we insist on an early commencement of the negotiating process on the status of Kosovo. An excellent basis for the work to define the parameters for substantial autonomy for Kosovo could be found in the principle on interim self-government for Kosovo adopted in May at the Tokyo meeting of the G-8 working group. Clearly, work in this area should involve official representatives of the Federal Republic of Yugoslavia. To that end, it would be appropriate to actively use the mechanism of the UNMIK-Federal Republic of Yugoslavia Joint Committee. In the context of that Committee it will be possible to resolve the question of beginning negotiations with the Federal Republic of Yugoslavia to define the status of the international presence in the region. We are concerned that the UNMIK command is ignoring this important provision of resolution 1244 (1999).

It is also high time for a return to the region of the agreed number of Yugoslav military personnel. At the first stage, it should be possible to reach agreement on a limited contingent of Yugoslav border guards coming to the Kosovo part of the Federal Republic of Yugoslavia border.

We continue to view as erroneous the concept developed by UNMIK of total privatization of locally situated State property of the Federal Republic of Yugoslavia. The destruction of economic ties in the region only strengthens the drive to separate Kosovo from the Federal Republic of Yugoslavia.

Our position is well known: at present, the requisite conditions for holding municipal elections are lacking. For such elections to mark an important step towards democracy in accordance with resolution 1244 (1999), they must be thoroughly prepared and must be democratic.

In practice, violence reigns in Kosovo. Even Albanian political parties are subjected to a coordinated campaign of intimidation and blackmail by the former KLA. Kosovar Serbs and members of other ethnic minorities confront terrorism and are forced not to participate in the elections at all. When it comes to organizational preparations for the elections, the situation is no better. As reported in the Kosovo newspaper *Koha Ditore* on 21 September 2000, UNMIK officials have acknowledged that from the very outset there were significant logistical and organizational difficulties with the voter registration process. Lists of voters were lost, and voter information even contained distortions. Consequently, the newspaper concluded, only 900,000 of the more than one million registered inhabitants of Kosovo had actually participated in the registration, and by no means all of those had succeeded in being properly registered. In the view of experts, there were errors or distortions with respect to some 350,000 inhabitants of Kosovo. To correct those errors, it would for all intents and purposes be necessary to repeat the registration process. Given that situation, we consider it essential that independent experts carry out an unbiased review of the results of the registration.

In view of all those facts, the municipal elections that Mr. Kouchner has been urging for October cannot at this stage be democratic, free and fair. They risk

strengthening the position of the Albanian extremists and the proponents of a mono-ethnic Kosovo.

We are obliged once again to draw the Secretariat's attention to its disregard of our repeated requests for specific information. Let me cite just one example. Three times, we have officially requested that members of the Security Council should be acquainted with the report of the Finnish forensic experts who investigated the tragedy that took place at Racak in March 1999. Information from that report was published in the German press last spring. To date, we have had no response to our requests. The wall of silence onto which our requests fall obliges us to think seriously about what it is that underlies the Kosovo crisis.

I had expected to take advantage of the Secretary-General's presence in the Chamber today to ask him personally to take the necessary steps to make it possible to acquaint members of the Council with that report, but, unfortunately, he is no longer here with us. I hope, however, that his colleagues will transmit our request — which we are making in this Chamber for the fourth time — to him.

It is our conviction that it is high time that the traditional accolades that are heaped upon the UNMIK leadership were replaced by a serious discussion of the situation in Kosovo, and of the Mission itself and of ways to remedy the present crisis situation. Holding such a discussion is a matter of urgency before there is a new wave of political violence, the full responsibility for which would fall on the leadership of the international presences. That responsibility will have to be shared by the members of the Security Council which, in considering the problems of Kosovo, have found it possible to speak solely and exclusively about the sins of Belgrade and to be entirely silent about the flagrant breaches of resolution 1244 (1999).

Sir Jeremy Greenstock (United Kingdom): I too am very grateful to the Special Representative of the Secretary-General for his briefing. I pay tribute to him and to the whole team of the United Nations Interim Administration Mission in Kosovo (UNMIK) for their extraordinarily dedicated work in Kosovo in the most difficult circumstances. This is not just a traditional accolade; they, and we, are making progress in that province — net progress, but progress nevertheless.

At our last meeting on Kosovo, my delegation began by focusing on the arrest by the Federal Republic of Yugoslavia authorities of two British policemen employed by UNMIK. It is time briefly to update the Council. More than eight weeks after their arrest, the detainees are still being held and have still not been charged. Two Canadian citizens and four Dutch citizens are being similarly treated. Although the conditions in which the men are being held have improved from the completely unacceptable, the Federal Republic of Yugoslavia authorities are not respecting consular agreements. We call upon them to release the men immediately or to bring specific charges. As my delegation said last time, the two British policemen were contributing to stability and peace in Kosovo as part of the important work of the Organization for Security and Cooperation in Europe (OSCE) under United Nations resolutions. It is in no one's interest that that work should be interrupted.

The United Kingdom is encouraged by the thorough preparations being made for October's municipal elections. Those elections are important because they are a key step in returning the governance of Kosovo to its people. We note that some 45,000 Serbs voted in safety in Kosovo in a different set of elections, on 24 September, elections which Ambassador Holbrooke has pointed out could change the whole character of what we are doing in the Balkans.

The United Kingdom thanks Mr. Kouchner and his team, together with the Kosovo Force (KFOR), for doing such an excellent job in witnessing those elections on 24 September, as well as in providing reassurance for voters in Kosovo. That has helped minimize the scope for malpractice by President Milosevic. We regret that, as it looks at present, those 45,000 Serbs and their compatriots will not be voting in Kosovo's municipal elections next month. But who knows? Perhaps democracy and non-violence have been born in the Federal Republic of Yugoslavia this week. The effect could be quickly felt in all communities in Kosovo if President Milosevic draws the correct conclusions from the turn of the tide.

Although Serbs are reluctant at present to vote in Kosovo's elections, it is right that Kosovo's Serb community is represented in the local government structure. We welcome the agreement that Mr. Kouchner and UNMIK will appoint representatives to sit on municipal councils after the elections.

The Secretary-General sets out clearly in his report that security continues to be a problem throughout Kosovo. The United Kingdom has joined others, including its partners in the European Union, in condemning recent incidents of ethnic and political violence, not least by members of the Albanian community in Kosovo.

Mr. Kouchner and KFOR have continued to condemn the violence and to take what steps they can to address it. Just as important, most of Kosovo's political leaders have also spoken out against such violence. They gave their support to the principles of non-violence and inter-ethnic dialogue at the Airlie House meeting in Virginia in July, and that was extremely welcome. Thuggery by a vocal minority will not be allowed to decide Kosovo's future. We must build a security framework that facilitates return by Kosovo Serbs and others to their homes.

The incident mentioned just now by Ambassador Lavrov involving the Russian Ambassador and, as it happened, British KFOR troops on the boundary between Serbia and Kosovo was unfortunate, but those troops were doing their job at a time of increased tension and no disrespect was intended to the Russian Ambassador. Security was the only motivation and recent events in Gracanica have shown the need for vigilance in that respect.

The United Kingdom has noted the Secretary-General's appeal for more international judges and prosecutors. We share the Bangladeshi view that the administration of justice is a key issue for Kosovo. Indeed, the United Kingdom has offered large numbers of judges and prosecutors and stands ready to assist further. So far, however, we have been told that United Kingdom candidates are not required. Should we not be concentrating on increasing the number of international judges and prosecutors and give that priority over some other areas of UNMIK's work?

Whatever happens in Serbia proper over the next few days, we shall need UNMIK in Kosovo for some time to come. The United Kingdom will remain, politically and in practice, fully supportive of their efforts.

Mr. Shen Guofang (China) (*spoke in Chinese*): At the outset, I wish to thank you, Sir, for arranging this formal meeting to consider the question of Kosovo in the Federal Republic of Yugoslavia.

We also wish to thank the Special Representative of the Secretary-General, Mr. Kouchner, for his detailed briefing. He, along with the United Nations Interim Administration in Kosovo (UNMIK) and the Kosovo Force (KFOR), have done a great deal of work in very difficult circumstances. The Chinese delegation supports their efforts to ensure the full implementation of Security Council resolution 1244 (1999).

It is the view of the Chinese delegation that there has been no fundamental improvement in the situation of Kosovo. The security situation there is far from desirable. The atrocities and violence against Serbs and other minorities remain cause for grave concern. We support the positive role played by UNMIK in its efforts to promote tolerance and reconciliation and to prevent ethnic violence. We hope that UNMIK and KFOR will continue to adopt concrete measures to ensure that all residents of Kosovo can live without fear of violence, intimidation and harassment.

We welcome the fact that Kosovo minorities are beginning to return home, but their numbers and pace of return are far from satisfactory. It is our hope that UNMIK will continue to encourage the voluntary and safe return of the Kosovo minorities.

We have also noted the fact that the preparatory work for municipal elections is under way. In the current circumstances, we cannot help but be sceptical as to whether the elections can be conducted in a climate of freedom and peace. We are very disturbed by the recent increase in political violence. If the politically motivated violence perpetrated by extremists and hard-liners is allowed to continue uncurbed, the independence of Kosovo and the policy of ethnic cleansing will be legitimized. For a variety of reasons, Kosovo Serbs and most of the Kosovo Turkish communities have not participated in the process of civil registration. If the elections are held in such circumstances, the results cannot be expected to be perceived as fair and equitable and are likely to trigger ever more acute ethnic hostility. We expect UNMIK to adopt concrete measures to improve law and order and to help alleviate the fears of the minorities so that they will feel encouraged to participate in the electoral process.

Finally, we wish to emphasize that the sovereignty and territorial integrity of the Federal Republic of Yugoslavia must be respected. Security Council resolution 1244 (1999) specifically provides

for the status of Kosovo. No members of this Council recognize or support Kosovo as an independent State. Any course of action designed to steer Kosovo towards independence is dangerous and illegal. Unfortunately, however, some people are trying to do precisely that, which is absolutely unacceptable. It is our hope that UNMIK and the Special Representative himself will strictly adhere to the provisions of resolution 1244 (1999).

The President (*spoke in French*): I thank the representative of China for his kind words addressed to me.

Mr. Listre (Argentina) (*spoke in Spanish*): My delegation commends you, Sir, for convening this meeting on the situation in Kosovo, which is of such consequence to the Security Council.

I thank the Special Representative of the Secretary-General, Mr. Kouchner, for his briefing and the members of the Joint Interim Administrative Structure for their presence here.

The very detailed report submitted by the Secretary-General on the work accomplished by the United Nations Interim Administration in Kosovo (UNMIK) from 6 June to 18 September plainly attests to the magnitude and complexity of the Security Council mandate to that mission. We wish clearly to reaffirm our support for and acknowledgement of the work of Mr. Kouchner, UNMIK and the Kosovo Force (KFOR) and to thank them for their valiant efforts to ensure the transition of Kosovo towards authentic autonomy based on democratic institutions.

We wish to focus on a few of the issues that we deem to be essential. First, we wish clearly to offer our support for the electoral process and the elections to take place on 28 October. With regard to the civilian registry connected to the elections, it is certainly important that UNMIK meet the deadline. Material errors that have occurred in the registration process should not be overemphasized, since they can all be solved. We feel, however, that it is a matter for concern that, out of either fear or intimidation, most Kosovo Serbs have not registered. We support the electoral process despite those restrictions. We hope that, in the future, elections held in the context of that process will allow the Serb minority to feel sufficiently secure to participate and that it will do so in great numbers. That will mark the beginning of the legitimization of the authorities that we hope will become an inherent part of a general process leading towards pacification and a negotiated solution for the final status of Kosovo.

One concept that we support is the pact for civil society in Kosovo that paragraph 9 and the following in the Secretary-General's report (S/2000/878) mention. In accordance with the report, that pact would include the establishment of institutions which would make it possible for there to be a real autonomous government. This would take place during the transitional period of UNMIK. The Airlie Declaration is very auspicious. Now we have to implement the commitments entered into by the communities of Serbs and Albanians to respect the outcome of the elections and to respect ethnic realities. We also must flag the concern that we have regarding political violence.

In this regard we would like not only to address ourselves to the Serb minority but also to the Albanian majority. The people and leaders of Kosovo must not ignore the warning laid down by the Secretary-General in paragraph 115 of his report, that if violence occurs, the danger is run that they will lose international support and that there will be paralysis in the economic and social development of Kosovo.

One could not support the extreme positions of either side. Argentina gives its full support to UNMIK and KFOR in its work to ensure that all will act within the context of law and in conformity with democratic principles. We think that the status of Kosovo could not be decided in an isolated way. Dialogue with legitimate authorities from the Federal Republic of Yugoslavia and the regional context are factors that we believe cannot be left to one side.

This is why we attach great importance to the elections that were held on 24 September in the Federal Republic of Yugoslavia, because we think that a democratic Government that enjoys full popular support is a valid interlocutor for addressing the final status of Kosovo. In this context, it should be obvious that we wish to recall that the basis of a democratic system is the respect for the will of the people expressed at the ballot box. We want that the results of the elections be fully respected.

Mr. Hamer (Netherlands): I wish to thank Mr. Kouchner for an account which was at once frank and thought provoking. I appreciate his frank assessment of UNMIK's achievements, but I would like to add that mistakes are a problem only if they are not corrected. In that sense, we have the fullest

confidence in Mr. Kouchner and the men and women of UNMIK.

Once again, I find myself in full agreement with the Special Representative and the concerns expressed by him about the security situation and continued inter-ethnic violence. I share also his concerns about missing persons and detainees in Serbia. I share Mr. Kouchner's assessment of the importance of the municipal elections he is organizing in Kosovo. And I agree with his insistence on the importance of joint multi-ethnic deliberative organs at the local level.

I will not therefore use the parts of my prepared statement dealing with those issues. Instead, I will pass directly to two points which relate more tangentially to Kosovo proper and concern the Federal Republic of Yugoslavia more directly.

We are all awaiting the final results of the elections in the Federal Republic of Yugoslavia. The results as announced by the Federal Election Commission in Belgrade last night point to a clear victory for the opposition. We can only hope that President Milosevic will respect the will of the majority. If he does, and when democracy prevails, the people of Serbia, of Montenegro and, to be sure, of Kosovo can be certain of better days ahead.

My other point regarding the Federal Republic of Yugoslavia concerns the fate of the four Dutch nationals who, as Ambassador Greenstock today reminded us, along with two Canadians and two British citizens, are still being held, over two months later, under circumstances incompatible with the treaties and conventions to which the Federal Republic of Yugoslavia is a party. The preliminary detention of the four Dutch citizens has been extended by two more months until 17 November, and they remain in solitary confinement. Consular access is minimal, and so far the Federal Republic of Yugoslavia authorities have refused examination of the four by an independent physician. We call upon the Federal Republic of Yugoslavia authorities to end this travesty of justice and to accelerate legal proceedings so that these detainees may be released quickly.

Finally, to return to Kosovo, I would like to conclude by echoing Ambassador Levitte's upbeat suggestion that UNMIK's performance in Kosovo may yet become a true success story for the United Nations.

Mr. Heinbecker (Canada) (*spoke in French*): Let me first of all express a word of thanks to Mr. Kouchner for his extraordinary work. Let me say how pleased the Government of Canada is with everything that he has accomplished in those difficult circumstances.

(*spoke in English*)

I will turn to this situation in Kosovo in a moment. I would also like to make a few points on the issue of the election. The Yugoslav people have spoken. It is now clear that their voice will be respected by Mr. Kostunica. The question is whether the judgment of the Yugoslav people will now be respected by the regime in Belgrade.

We call upon the Belgrade regime to recognize that the situation has now changed. It is time to respect the views of the ordinary Serbs who have voted in such massive numbers. It is time to stop the games. Canada hopes to be able to welcome the Federal Republic of Yugoslavia back into the community of democratic nations. We remain hopeful that the elections on 24 September will lead to peaceful and democratic change in the Federal Republic of Yugoslavia.

As soon as a Government committed to reform and reconciliation is firmly in place, Canada will join the international community in removing sanctions and ending the isolation of Yugoslavia.

On a related point, I would like to thank again Mr. Kouchner, to commend his effort and that of the United Nations Interim Administration Mission in Kosovo (UNMIK), who did such an excellent job in making sure that, at least as regards Kosovo, it will not be possible for mass fraud to be perpetrated.

I have listened carefully to the words of Mr. Kouchner. I heard him say that we are in a low-conflict, but not yet a post-conflict situation. Compared to a year ago, we have made enormous progress. A million refugees returned. Schools reopened. A semblance of normal life for many people has returned. We have made a lot of progress, but we are certainly not in the homestretch yet. Particularly, it is appalling to us that any minority, and in this particular case the Serb minority, could be targeted with violence. It is unacceptable. We are grateful to UNMIK and to the Kosovo Force (KFOR) for their efforts to stop it and to prevent it.

As for the Kosovo elections, a word about that. We are also dismayed by the increasing intra-Albanian Kosovar criminality and the impact that that could have on the upcoming municipal vote.

Here again we are grateful for the work of Mr. Kouchner aimed at preventing violence and intimidation and at keeping them from being factors in the elections.

In this context, the recent promulgation of the print code of conduct by United Nations Interim Administration Mission in Kosovo (UNMIK) is especially welcome. Independent, responsible and self-regulatory media outlets are strongly needed. We hope that the implementation of this code will contribute to fostering a democratic political culture as we approach the election and beyond.

We also welcome the recent appointment of a Special Envoy for missing and detained persons. We reinforce Mr. Kouchner's point that pressure from the international community will be critical to the resolution of this issue.

On a different plane, I can only refer to the comments made by the British Ambassador and by the Dutch delegation with respect to the detainees who are British, Dutch and Canadian citizens. It has been two months now, I think, that these people have been detained — since the Canadians were detained. The detainees have not been charged. They are as innocent today as they were the day they were arrested, and in fact it is perfectly clear to the Belgrade regime that they are innocent. It remains only for that regime to release those detainees.

In summary, we are very glad for this opportunity to hear from Mr. Kouchner, we are extremely impressed by the work he has done, and all that remains to be said is that we must all persevere in bringing this project to a democratic end. The election in Belgrade is a major step in that direction.

Mr. Ben Mustapha (Tunisia) (*spoke in French*): I would like to congratulate you, Sir, for having convened this important meeting. I would also like to thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK). This report tells us about the activities of that Mission. We also thank above all Mr. Bernard Kouchner, the Special Representative of the Secretary-General, for his extremely informative and edifying briefing on the situation in Kosovo.

Kosovo is going through a crucial phase in its history. For some time this region has seen important events, both internally and externally, which will no doubt have direct repercussions on developments in the situation in Kosovo and require the support and backing of the international community as a whole. In this connection I would like to welcome the initiatives to reconcile the communities in Kosovo and to encourage political dialogue between the various parties.

The initiative to convene the Airlie House Conference in Virginia at which an important declaration was unanimously adopted inspires the hope of seeing one day all this hatred and violence dissipate. It has laid the foundations for a democratic, multi-ethnic and peaceful society in Kosovo on the basis of free and transparent elections and has reaffirmed the right of return of all the refugees. Moreover, we consider that should the pact proposed by the Special Representative of the Secretary-General be accepted, it could contribute to protecting the rights of various ethnic communities. It thereby could pave the way to self-administration, in particular through the designation of the responsibilities and powers of the municipalities and the equitable representation of the minority communities within these structures.

All these initiatives cannot replace the active participation of the parties to the conflict. In effect we consider that all the political leaders of all the communities in Kosovo must shoulder their historic responsibilities. It is up to these leaders to promote tolerance and ensure that the voice of reason is heard.

I would like to take this opportunity to note the wise decision of the Serb National Council (SNC) of Gracanica to participate in the work of the Joint Interim Administrative Structure so as to play a constructive role in the implementation of several agreements. It is also to be noted with interest that the Serb National Council of Mitrovica will be participating in the work of the joint committee for returnees.

The completion, on schedule, of the first phase of the civil registration process and the adoption of the regulations for the municipal elections are a source of satisfaction for my delegation. We take this opportunity to encourage all the communities in Kosovo to take

part in these elections, which will lay the basis for a multi-ethnic society, which alone can guarantee lasting reconciliation in Kosovo. We also insist on the stringent application of the election code of conduct, in order to avoid any form of violence or intimidation that might reduce participation in the electoral process. We believe it important that these elections do not serve as pretext for exacerbating the ethnic divide and for promoting exclusion. In this connection I would like to pay tribute to the Kosovo Force (KFOR) for the preparation of a plan of action to thwart any violence during the electoral process.

As we have indicated in our previous statements, we consider that effective, impartial and independent justice can strengthen the convictions of all the inhabitants of Kosovo that there is a common future for all communities there. The deployment of judges and international prosecutors to the district courts is a measure that is building the minority communities' confidence in the judiciary system. It is also a way of combating the impunity that reigned in the past and which permitted the most heinous actions.

This is also why we think that we must encourage the initiatives taken in the context of the civilian police, in which my country is proud to be participating. In particular, we welcome the initiative to set up a task force to develop measures to combat ethnic violence, particularly against minorities.

To conclude, I think that the return of peace to Kosovo is a complex endeavour, but not an impossible one. The progress achieved since the arrival of UNMIK in Kosovo is appreciable. The success of the electoral operation is a crucial phase on the path towards reconciliation and peaceful coexistence for all the inhabitants of Kosovo.

I would like to pay special tribute to Mr. Bernard Kouchner for his tireless efforts for peace and also to his team and to the entire staff of UNMIK for their devotion.

The President (*spoke in French*): I thank the representative of Tunisia for his kind words addressed to me.

Mr. Hasmy (Malaysia): My delegation is thankful to you, Sir, for convening this meeting. It affords the Council another opportunity to further assess the progress made in the implementation of Security Council resolution 1244 (1999).

We are grateful to the Secretary-General for his detailed report. We are pleased to welcome Mr. Bernard Kouchner back to the Council. We are grateful for his comprehensive and extremely useful update. We are impressed by the very strong commitment he has demonstrated in carrying out his onerous tasks. We continue to be impressed by his undiminished enthusiasm, which we witness every time he addresses this Council, as he has just done this afternoon. We appreciate his openness and candour in addressing the issues and problems he and the United Nations Interim Administration Mission in Kosovo (UNMIK) have had to face thus far. He does not duck these difficult issues. He has openly admitted mistakes that have been made, but through admitting them remedial actions have been taken. We welcome this candour, this transparency, which augurs well for the further progressive implementation of resolution 1244 (1999).

During previous meetings of the Council on Kosovo, my delegation has already articulated its views on a number of the issues raised by Mr. Kouchner in his briefing and those contained in the Secretary-General's report. Nevertheless, we take the opportunity to reaffirm once again Malaysia's strong support for Mr. Kouchner's leadership of UNMIK and his efforts in the implementation of resolution 1244 (1999) in Kosovo.

Clearly, UNMIK has made significant progress in the implementation of resolution 1244 (1999). We welcome the achievements that have been made so far. We note with satisfaction that the Mission has consolidated those achievements and continued with a whole range of further efforts to lay concrete foundations for peace, democracy and self-government, as well as for long-term development and reconstruction in Kosovo.

We now see a relatively smooth functioning of the various institutions or organs that have been established in Kosovo: the Joint Interim Administrative Structure, the Interim Administrative Council and the Kosovo Transitional Council. The representation of Kosovar ethnic minorities in these administrative and consultative organs is also being enhanced, while efforts are being made to further strengthen the Kosovo Protection Corps and the Kosovo Police Service. We further note that a number of important administrative regulations have been signed into law.

UNMIK is therefore on the right track towards the full implementation of resolution 1244 (1999). We are greatly encouraged by what Mr. Kouchner told us, and we encourage him and UNMIK to press ahead. Of course, success will depend on two factors of crucial importance: the continued strong support of the international community and the support, commitment and full cooperation of all leaders and people of Kosovo.

In the context of today's consideration of the subject, my delegation wishes to highlight the following five points.

First, we fully support Mr. Kouchner's decision and his actions with regard to the conduct of the Federal Republic of Yugoslavia elections in Kosovo last Sunday, 24 September 2000. Considering the mandate of UNMIK and the complexity of the situation on the ground, those decisions and actions were entirely appropriate. We are relieved that the event passed without serious incidents. We hope that the outcome of those elections will have a positive impact on the overall situation in Kosovo.

Secondly, we welcome the successful conduct of the civil registration process in Kosovo. This is certainly one of UNMIK's major achievements and, in the words of the Secretary-General,

> "an important milestone on the province's path to self-governance" (S/2000/878, para. 114).

The focus is now on the preparatory work for the municipal elections and the actual conduct of the elections themselves on 28 October 2000. We look forward to these elections. However, their success can only be guaranteed by the active support of the international community, as well as the support and cooperation of all Kosovar political forces, and ultimately the full participation of all registered voters. We have repeatedly urged the participation of all communities in the registration process and in the upcoming municipal elections. We trust that the efforts of Mr. Kouchner and UNMIK in this regard will bear fruit.

Thirdly, the continuing precarious security situation in Kosovo is completely unacceptable. The recurrence of ethnically motivated violence and the apparent increase in politically motivated violence and acts of harassment overshadow the substantial progress made in the implementation of resolution 1244 (1999). There also exist some irresponsible elements that are out to sabotage the process. Their actions should not be tolerated. We therefore support the continued efforts by UNMIK and the Kosovo Force (KFOR) to tackle the security problem effectively, including the recent measures to improve the overall security situation and the protection given to members of political parties. While the two missions work to enhance their capacity to deal with the security problem effectively, success will ultimately depend on the strong commitment, political will and full cooperation of all leaders of Kosovo's different ethnic communities. We therefore urge all Kosovars — leaders and people at every level — to play their part in fighting extremism and promoting inter-ethnic harmony.

In the context of UNMIK's efforts to curb crimes, we were impressed with the success attained by UNMIK so far, as graphically presented by Mr. Kouchner today, from a high of 300 major offences in a week in June this year down to less than about 30 in September. This is highly impressive.

Fourthly, Mitrovica undoubtedly remains a potential flashpoint in Kosovo. We fully support the efforts by UNMIK and KFOR to enhance security in this area. It is imperative that UNMIK assert its authority throughout the northern part of Kosovo, as it has done elsewhere in the territory.

Finally, the twin issues of missing persons and the continued detention of Kosovar Albanians in jails in Serbia remain a major concern that requires an early solution. We warmly welcome the appointment of Ambassador Henrik Amneus as the Special Envoy responsible for this matter. We earnestly hope that this appointment will greatly contribute to finding a comprehensive solution to this important human rights and humanitarian problem, which should have a positive impact on the overall reconciliation process in Kosovo. We, however, agree with Mr. Kouchner on the need for the international community and this Council to exert pressure on the Government of the Federal Republic of Yugoslavia so as to change its uncompromising stand on this issue. Without the necessary pressure, the Special Envoy's efforts will be thwarted by Belgrade and the missing persons will remain missing. This is completely unacceptable, especially in the light of what Mr. Kouchner has just told us about the torture that those in detention are being subjected to. This is outrageous conduct on the part of the Federal Republic of Yugoslavia prison

authorities, for which they should be made accountable.

The President (*spoke in French*): I thank the representative of Malaysia for the kind words he addressed to me.

Mr. Yel'chenko (Ukraine): I thank both Mr. Kouchner for his briefing and the Secretary-General for the submission of the report on the activities of the United Nations Interim Administrative Mission in Kosovo (UNMIK).

We have noticed many positive developments in Kosovo due to UNMIK's efforts in all areas of its responsibilities, specifically the completion of the civil registration process, the issuance of a number of regulations, in particular on self-government of municipalities and municipal elections, the adoption of the Airlie Declaration and many others.

In our view, the real achievements of the Mission over the past three months have been the ongoing participation of the moderate Kosovo Serbs in the joint interim structures, the completing of the Kosovo Turkish representation in the Kosovo Transitional Council, and the appointment of more than 400 additional local judges and prosecutors on a multi-ethnic basis as well as the appointment of additional international judges and prosecutors to the district courts of Kosovo.

At the same time, the dire security situation in the province, in particular with regard to the protection of minority communities and human rights, continues to cause us grave concern. Ethnically motivated violence is not decreasing. Since ensuring a secure environment, public safety and order is one of the major responsibilities of the international civil and military presences in Kosovo, it is to a very significant degree the yardstick by which the overall success of UNMIK and KFOR activities is judged. Against this background, UNMIK and KFOR activities are not fully satisfactory and should be intensified. The table circulated to us is very good, but it is not fully convincing because it has one flaw in its title: "Reported major offences in Kosovo". What about the under-reported offences, and who is to determine the difference between major and minor offences?

Nevertheless, we support the relevant initiatives of UNMIK and KFOR; in particular, the decision of UNMIK police on developing a Special Security Task Force to combat ethnically targeted violence. It is our hope that a special police unit from Ukraine, which completed its deployment in Kosovo last week, will be helpful in this regard. The recent seizure by KFOR and UNMIK police of illegal weapons and explosives in Gračanica are also praiseworthy. Given the rise in politically motivated violence in Kosovo in the run-up to the municipal elections, UNMIK's activities to establish both an Information Coordination Group and an Operational Task Force to implement security strategies against political violence are timely.

We assess positively the decision of the High Commissioner for Human Rights to appoint Ambassador Amneus of Sweden as her Special Envoy on persons deprived of liberty in connection with the Kosovo crisis in the Federal Republic of Yugoslavia. According to the Secretary-General's report, the Special Envoy's mandate will cover all persons deprived of liberty, including prisoners, detainees and missing persons in the Federal Republic of Yugoslavia, regardless of ethnicity. In our view, the mandate reflects an objective and balanced approach to this highly sensitive issue.

The initial phase of civil registration, despite almost no participation by the Serb and Turkish communities, was generally recognized as successfully completed more than a month ago. In August it was announced that about 1 million applications from Kosovo residents had been registered, and the list of 5,500 political candidates for municipal elections was issued. A large number of those applications are now undergoing a review that is to be completed by the end of September. We acknowledge the work done by UNMIK in preparation for the October municipal elections. At the same time, there are different pieces of information — including the one referred to by Ambassador Lavrov — that indicate the registration process did not go so well. We are afraid that it would be difficult to rectify the situation before the 28 October elections. We would like to invite Mr. Kouchner's comments on this issue.

With regard to the matter of the Zvecan lead smelter, as we said in August, the intentions of UNMIK to undertake a clean-up of the plant and the surrounding environment are more than welcome. However, there are still doubts about whether it was really necessary to assume control of the complex through the use of force. It is also important to ensure that all the former workers at Trepca — whose

demonstrations still continue — will not be deprived of the opportunity to get their jobs back as soon as the complex is reopened.

We learned from the Secretary-General's report about the presentation by Mr. Kouchner of his initial concept of a pact for Kosovo society, which will involve the elaboration of a legal framework for substantial autonomy and community protection during the interim administrative period. Since that concept has not been presented to the Security Council, we request Mr. Kouchner to do so as soon as it is finalized. In our view, in adopting the pact one should avoid the risk of prejudging in it the final status issue, as the document will touch upon the legal side of the substantial autonomy of Kosovo. Therefore, we call on Mr. Kouchner to be vigilant about the substance of the pact and to ensure that it is not seen as a substitution for the would-be outcome of possible negotiations on Kosovo's final status.

I could not overlook in my comments the most important recent event in the Federal Republic of Yugoslavia, that is, the Yugoslav presidential, federal and municipal elections held three days ago. We are convinced that whatever the results of the elections in the Federal Republic of Yugoslavia, UNMIK and KFOR must continue to pursue their efforts towards fulfilling their main responsibilities under resolution 1244 (1999), namely, to promote Kosovo's substantial autonomy and self-governance within the Federal Republic of Yugoslavia while fully respecting the sovereignty and territorial integrity of that country.

In conclusion, I wish Mr. Kouchner and all the staff of UNMIK and KFOR every success in pursuit of their mandates.

Miss Durrant (Jamaica): Let me join other members of the Council in welcoming the Special Representative of the Secretary-General, Mr. Bernard Kouchner. We thank him for his frank and informative briefing on developments in Kosovo. We also thank the Secretary-General for the comprehensive report on the implementation of resolution 1244 (1999).

My delegation recognizes that despite the many challenges still facing the United Nations Interim Administration Mission in Kosovo (UNMIK), there has been progress made over the past 15 months in many areas, including in reconstruction, health, education, local administration, public services, agriculture and in the rule of law. In addition, the report indicates that the macroeconomic fundamentals are largely in place.

The concerted effort being made by UNMIK to build local capacity throughout Kosovo is critical for long-term sustainability. For example, the joint UNMIK-United Nations Development Programme (UNDP) preparatory assistance project focuses on the development of planning and management capabilities in several municipalities.

We note with satisfaction the progress made in the civil registration process. Despite the problems encountered, we sincerely hope that all ethnic minorities will eventually feel confident enough to participate in the civil registration. We also note the related progress made in the preparations for the forthcoming municipal elections, including the adoption of regulations and central electoral rules governing, inter alia, key elements of the election process and procedures designed to prevent fraud. My delegation believes that minority participation is, in the long run, critical to the creation of a multi-ethnic society, which will not be possible without reconciliation between the communities.

It is against this background that I must express my delegation's concern about the security situation, the situation of detained and missing persons and violations of human rights. The reports of politically motivated violence are disturbing because that violence can have a destabilizing effect and can reverse the achievements already realized. Kosovo has indeed come a long way in the past 15 months, and it cannot risk jeopardizing support and crippling its potential economic and social development.

We note that minority communities continue to suffer threats, intimidation and violent attacks. These incidents could undermine the attempts made to foster tolerance and coexistence. We therefore commend the initiatives launched by Mr. Kouchner to improve conditions for minority communities, and his direct contacts with the non-Serb minority population. We join his call for Kosovo leaders to condemn acts of violence, to commit themselves to respecting the results of the municipal elections and to promote tolerance and engagement between the various ethnic communities.

My delegation takes very seriously the reports of the discoveries from time to time by the Kosovo Force (KFOR) of large caches of weapons. While we

commend UNMIK and KFOR for their continued vigilance, we are not reassured by the wide array of weaponry that is obviously still in circulation.

My delegation sees the issue of detained and missing persons as one of the main obstacles to peace-building, reconciliation and tolerance, as it remains a major source of tensions in inter-ethnic relations. We therefore welcome the appointment by the High Commissioner for Human Rights of Ambassador Henrik Amneus as her Special Envoy on persons deprived of liberty. I note that his mandate covers detainees and missing persons related to the Kosovo crisis, regardless of ethnicity. We regard this as a positive development, and we hope it will contribute to the solution of this problem, which affects all communities in Kosovo. Families of the missing and detained persons deserve to know the fate of their loved ones.

While there has been a dramatic reduction in crime and a substantial improvement in the rule of law — particularly in the training of judges and police and in the appointment of an ombudsman — we note that the court system has suffered from inconsistencies in approach to the applicable law and from a lack of understanding of the relevant international human rights law. We therefore commend those countries that have provided assistance to the judicial process.

We note, however, that UNMIK police confirm that trafficking in persons, particularly in women, is a growing and serious problem in Kosovo. We hope that the draft regulation on trafficking will be speedily put into force. The victims of trafficking must not only be given physical assistance, but also psychological assistance to deal with their ordeal.

In conclusion, I wish to reiterate Jamaica's support for UNMIK. We salute the men and women of UNMIK under the dynamic and tireless leadership of Mr. Kouchner as they seek to implement the resolutions of the Security Council, despite the difficulties and constraints under which they operate.

Mr. Andjaba (Namibia): I would like to thank the President for convening this important meeting. May I also thank the Secretary-General for his report, and Special Representative Kouchner for his comprehensive briefing on the situation in Kosovo, Federal Republic of Yugoslavia.

My delegation notes with appreciation the progress made by the United Nations Interim Administration Mission in Kosovo (UNMIK), including its timely completion of phase one of the civil registration process, the establishment of the judicial system and the rule of law and the overhaul of the security and management of the penal system, as well as the continuing political dialogue between UNMIK and the local population through town hall meetings in villages and municipalities across the province.

Although intimidation and violence against minority ethnic communities are increasing, we take solace in the return of the Serb National Council of Gracanica to both the Joint Interim Administration and the Kosovo Transitional Council. Similarly, we appreciate the representation of the Kosovo Turkish community in the Kosovo Transitional Council. In this context, we support the Special Representative and encourage him to continue sharing the values and culture of democratic institutions with the people of Kosovo in a manner that will encourage them to live and work together in harmony.

On the security situation, my delegation is concerned by the rise in politically motivated violence, particularly violence directed against UNMIK and KFOR personnel, as well as violence against the minority ethnic communities in the province. Once again we are encouraged through a series of initiatives undertaken by the Special Representative to address this problem. These include the establishment of a special police force and, in cooperation with KFOR, the identification of specific steps to improve physical security for minority ethnic communities.

In conclusion, we commend the Special Representative, Mr. Kouchner, and the UNMIK personnel for their dedication and their good work in Kosovo on behalf of the international community. Having said that, I wish to reiterate that my delegation would like to see the full implementation of Security Council resolution 1244 (1999), and that the sovereignty and territorial integrity of the Federal Republic of Yugoslavia must be respected by all.

The President (*spoke in French*): I thank the representative of Namibia for his kind words addressed to me.

I shall now make a statement in my capacity as representative of Mali.

In view of the fact that most of the concerns of my delegation have already been expressed by previous speakers, I shall simply make three brief comments.

First, I should like to associate the delegation of Mali with the tribute that was paid to Mr. Bernard Kouchner, the Special Representative of the Secretary-General, and to all the teams he has set up. His briefing today made it possible for us to accurately assess the important progress made in the civilian administration in Kosovo. But it seems that at the same time, the progress has been hampered by continued acts of ethnic violence. We consider that the accomplishments cannot be maintained if there is an atmosphere of violence and fear, so we think that equal importance must continue to be given to promoting reconciliation and tolerance.

Secondly, I turn to the matter of elections. We give our full support to the electoral process, particularly the local elections that will be held in October. They are an important contribution to building a multi-ethnic society. So that the people of Kosovo can invest themselves in this process, it seems important, in fact necessary, to ensure that all ethnic groups participate in the process.

Thirdly, let me say that we concur with Malaysia and Jamaica in particular with regard to civil registration, disappeared persons and detainees.

Finally, let me repeat to Mr. Kouchner how very much my delegation supports his many initiatives in implementing resolution 1244 (1999).

I now resume my function as President of the Council. I give the floor to Mr. Kouchner to respond to comments and questions.

Mr. Kouchner (*spoke in French*): I would like to thank you for both your words of appreciation and your criticism. Positive appreciation seems to have won the day, I think, but of course I am not in the right position to judge that. I am grateful to the Ambassadors of the Russian Federation and China for having provided us by their criticism an opportunity to improve our work. I have a great deal of respect for these countries and the personalities of the Ambassadors, and I would like to respond to them quickly.

Some 15 months ago, you probably would not have spoken thus. I believe, quite modestly, that I have done my best. I think that those who have visited this region, Kosovo, at least on two occasions can testify that the situation has radically changed, practically changed, technically changed, materially changed, and I would even say that on a routine, day-to-day basis it has changed.

As for change in attitude and conduct, more time will be necessary. Even the Security Council can do nothing there. Human conduct has a timeframe which is not the same as that of either the media or of politics. That notwithstanding, I share your impatience and frustration.

Thirteen centuries of confrontation between these ethnic groups, these peoples, these communities — thirteen centuries of not living together, thirteen centuries of not talking with each other, thirteen centuries of not seeing each other, and you want violence to stop in 15 months?

I do understand political impatience, but I also believe that we have to remain reasonable, and reason may return bit by bit to Kosovo. Do not believe that we are indifferent to violence. In the marvelous team that I have the honour to lead we devote all our energies to trying to staunch that violence, to reduce it. Look at the level of violence elsewhere in the world; you hardly need to do that to believe me. Just look at this curve of violence and you will see. It is not just Kosovo where there is violence. We spend our time in trying with the police — and that includes 49 nations — to innovate and make the international community's intervention more effective. Fortunately — and I remember next to me a few months ago General Klaus Reinhardt was here to affirm this — we have the possibility of requesting the soldiers of KFOR to intervene with a view to tempering that violence. But it is not a soldier's job to extemporize civilian police work, although they do it very well. At some point we will need to do what the Brahimi report has urged: we will have to create the conditions necessary for peace so that peacekeeping missions and missions to impose a peace — because one cannot keep a peace that does not exist — can do their jobs. We must understand how necessary it is to train international police together so that they can be effective. And of course, those police officers should not be penalized in any country for participating.

I have heard the Council's impatience, and I share that impatience. We experience that impatience every day. Members have paid tribute to the team that I lead; by myself I can do nothing, and I am nothing. The Secretary-General appointed me to head the Mission, which was a great honour. But nothing could have been

done without the dedication and tireless work of all the staff members of the agencies, the Organization for Security and Cooperation in Europe (OSCE) the European Union and, especially, the United Nations. They are a brilliant, dedicated, creative team who work night and day. I think that anyone who has visited the region can attest to their dedication to the implementation of resolution 1244 (1999) and to peace in the region. I am proud to be heading that team, which is a very exceptional one indeed.

Mr. Holbrooke of the United States spoke the truth about the historic moment we are experiencing. I do not wish at present to take a position on the events in Belgrade, but I think that I might venture to say that this is a unique opportunity for our Serb friends and for the Serb people to reach out to democracy. They have shown their will to do that. We must help them not to miss this opportunity. I am certain that the majority of Serbs — certainly those with whom I have dealt in Kosovo and those I know who come from Belgrade and elsewhere — have awaited this opportunity with high hopes. Let us not disappoint them. This is indeed an opportunity for the Serb people to live up to its historic calling in this region, for peace, justice and democracy. Our Serb friends expect us to support them. I listened to Ambassador Holbrooke's flattering remarks about the Mission, and I thank him very warmly.

The representative of Bangladesh rightly observed that the elections are essential for the restoration of peace. I agree — and so do 13 out of 15 countries. That does not mean that the other two are wrong, but it is still a nice majority. How can we hope to restore democracy if we do not play out the scenario of elections to its very end. And that scenario begins with local elections. It is not an enormous thing that after a year and a half we are asking that the existing municipal councils be endorsed or modified. Those municipal councils do indeed exist and do indeed engage in administration, with the involvement of UNMIK. They administer daily life in the municipalities. We will give them democratic legitimacy and will place better means at their disposal. And that is all. Serbs are already working in those municipalities, and they will continue to do so. I am sorry that once again Serbs have not registered to vote, but I am sure that they will participate in this endeavour.

Is a year and a half enough? Is it too long? How much longer should we wait? Should we wait for the violence to stop again? Well, centuries have gone by and have not been long enough to eliminate that violence. Should we wait another year, or two, or three? Is there a criterion? I do not know. We shall see if history vindicates me; if it does not, it will vindicate some members of the Council, and I will be the first to acknowledge the mistake. But I do not think that history will prove me wrong. I think that the roots of democracy will be found in these municipal elections and that they will later spread.

Here again, I am thinking of what the representative of Bangladesh said: that the security situation will improve thanks to these elections, because we will be giving people responsibility. That is the only way to show respect for them, the only way to show that they are considered to be full-fledged citizens. I hope rather that the violence will diminish during the electoral campaign. I hope I am not wrong, but it is curious that there has been less violence ever since the start of the campaign, as though the campaign had caused this phenomenon psychologically and sociologically. If an outlet is provided by the international community for making these arguments, we will all have reason to rejoice.

Yesterday, for the first time, the Democratic League of Kosovo (LDK), Mr. Rugova's party, was rather passive. Of course, we saw the first of the public demonstrations by Mr. Rugova; never had there been so many people demonstrating in Pristina. Mr. Rugova made a speech, and there was not one single incident. I myself systematically witnessed the launching of every party's campaign so as not to be selective. I think this marked the beginning of democracy. So yesterday there was a very important event at Pristina: the beginning of the LDK campaign. That might not seem so significant, but in Kosovo it is astonishing if you think about the background of the two key actors: the former KLA and the LDK. I hope this trend will continue.

I thank the representative of France for having given me the opportunity to pay tribute to the team I lead, in Pristina and throughout the country, who are activists more than bureaucrats.

Will any momentum be generated by these elections in these communities? I think so; I hope so. Will we see a rejection of hatred and a movement towards positions of peace and reconciliation? I hope so. Once again, we have to understand that these were opposing sides, and that indeed they were fighting one

another. I would say to the representative of the Russian Federation that it is paradoxical that I should be criticized for organizing elections. I have also been rightly criticized for accepting certain parties who were imposed in the municipalities during the war. By what miracle could I have got rid of them other than through the miracle of democracy? The majority of those who were imposed in the municipalities will undoubtedly be rejected in the future through a vote, or they will hold other posts. I hope that will be done in the best possible spirit; it is the only way to possibly remove those who did not enjoy legitimacy from the posts they occupied by force. That is how I would respond to some of Ambassador Lavrov's arguments.

It is not that I am too optimistic; I try to be a realist. I am trying not to forget my limitations or the great principles of resolution 1244 (1999), which it is my job to implement, and which I am implementing willingly. But let us rely on the facts for our criticisms; they are enough.

Let me say one word about the article in the *Financial Times*. Never did I speak of independence, never in one and a half years: not once have I done that in public. I acknowledge that the phrase in the *Financial Times* was an ambiguous one; I know it by heart — as one can imagine, I read it. But this was simply a case of incorrect interpretation.

The population of Kosovo admits that it is contemplating independence. I believe that we must apply resolution 1244 (1999), which speaks of "substantial autonomy", and that the Kosovars, or some among them, took this to refer to a phase. That was not my personal opinion. You will never, ever find me remiss in the interpretation of that phrase, but I apologize if my statement was misunderstood.

I recall the incident that was referred to by the Russian Ambassador, particularly since I have here the card of his colleague, Mr. Valery Yegoshkin, who visited me for an hour and a half. I was very pleased to meet and speak with him. We got along very well. During the one and a half hours I spent with him, he had no complaints. He said nothing about an arrest. If he had, I would have looked into it. On behalf of the international community, which I represent in part — though not on behalf of the Kosovo Force, which I do not represent — I offer our apologies if Mr. Yegoshkin was detained too long. Although I do not offer excuses for anyone, Mr. Yegoshkin was crossing the border at a time when security was important and when the announcement of federal elections — particularly the presidential and the National Assembly elections of the Federal Republic of Yugoslavia — made the situation extremely explosive. I am sorry that Mr. Yegoshkin was detained too long at the border. I assure the Russian Ambassador that there was no ulterior motive for that.

Reference was made to the attitude of the Doctors Without Borders organization. I am grateful for that. I was involved in the establishment of that organization. I was somewhat pained by the attitude of some people who, instead of making constructive criticisms in a difficult situation, left in protest against violence. Fortunately, they were replaced by other doctors of that organization and I believe their protest served no purpose. One must sometimes protest, but not against one's friends.

I agree that no one is happy at the level of excessive violence, but it is in constant decline. Once again, I offer the statistical charts demonstrating that, although I do not attach too much importance to statistics. One single incident makes me indignant, too. However, we did have a profoundly, historically, humanly, sociologically and psychopathologically volatile situation. How can that be expected to disappear in one and a half years? Look at what is occurring in other peacekeeping missions. I will not be callous enough to mention some by name, but the level of violence is extremely high. That is the way it is. Obviously, there would be no peacekeeping missions without violence. So we do what we can and our people work day and night, but they cannot stand behind every individual or guarantee personal security to everyone. Unfortunately, that is impossible.

Let us make no mistake. The pact is in no way a legal one. It is entirely a moral and emotional one. I ask them to guarantee democratic elections without violence so that we will be in a better position to discuss their future. Of course, I make no one sign a political or legal statement.

I am pleased that the Russian Ambassador referred to provisional autonomy, as we did in Tokyo. It is in that context that I shall try to move ahead, thanks to the pact, after the municipal elections. Not only did we propose this to the Joint Interim Administrative Structure (JIAS), but we have tried and continue to try — as Mr. Ivansov behind me, who is in

charge of policy at UNMIK, can attest — to see the official representatives of Belgrade every day or almost every day.

I am glad that the Russian Ambassador cited the Kosovar newspaper *Koha Ditore* for its acute criticism of the registration process, but I should have liked him also to cite the paper's correction of that article, since the Organization for Security and Cooperation in Europe (OSCE) pointed out that it was based on entirely mistaken premises. In any case, I am very pleased that he mentioned that newspaper, which is indeed an example of increasing open-mindedness among the Kosovar daily press.

I shall naturally try to see to it that the mistakes that have been referred to are put to rights, but I am not the one who will do it. That will be up to the JIAS, the OSCE and UNMIK. In the registration process, which is being carried out according to very up-to-date methods using databases, there are certain elements that were understandably skewed. It would, unfortunately, take too long to explain, but there are procedures known as "invitations to tender". These invitations were won by the Indians. We therefore sent these Albanian-language databases to the Indians. There were occasional errors made in the retranscription of people's names or place names. That is why it was claimed that 30 per cent of the data banks were in error. But that is not true. We are in the process of correcting the errors, which we feel will fall within a margin of 1 to 5 per cent, which is more or less the acceptable margin in all monitored elections. There will be no 30 per cent margin of error. I can guarantee that. We are working tirelessly on this.

This was not the first time that reference has been made to that Finnish document. I am entirely ready myself to request the International Criminal Tribunal for the Former Yugoslavia, which is in charge of these investigations, to take that Finnish document into account.

I have also seen the statement concerning the liaison office that we have opened with the representatives of Pristina in Albania. I would like to know why, although there are 30 similar offices open in Kosovo, that country would be more stigmatized than another. I believe that there is nothing in international politics or law to make a particular case against Albania. These are commercial offices. There is no diplomatic representation, let it be clear. No one in any of these offices has diplomatic status.

I think that I have responded to many of the questions that were posed, although perhaps not in enough detail to a specific point that the representative of the United Kingdom raised. I agree with him. I know that he has proposed many — perhaps as many as 40 — judges and prosecutors, who were considered by those in charge of the legal department. Some of his candidates have already been accepted. I have just met with one of the them in Pristina. I thank the British Ambassador. These judges are extremely useful to us and I think we need many more of them. I thank him for having proposed them.

The representative of China said that there were improvements to be made, for which I thank him. Yes, of course, certainly not all minorities are still able to enjoy the full freedom which, as I said in my briefing, we could wish for them. We have to change habits. We have to change a society. Have you ever seen a society that could change in a year and a half? I do not refer to any of the societies represented here, but it takes centuries to change them. I therefore cannot see why we should be reproached, given the efforts we are making, for not having performed such a miracle in a year and a half. I assure you that we or our successors will succeed.

Moreover, the representative of Argentina responded instantly to the effect that it is complex and difficult. Yes, it is very complex and very difficult to confront, with limited resources, these communities' refusal to communicate with each other. I am asked about the beginning of reconciliation, but there has never been conciliation. If reconciliation is to take place, people need to get to know each other. They have never known each other. This is, after all, one of the only places in the world where people have never spoken to each other, where they have not been taught in the same language.

In the hospitals, there were Serb and Albanian doctors and nurses. They worked together but they did not speak to each other. They ate at separate tables in the refectory. That is pretty symbolic to anyone who is familiar with hospitals. That is how it was: they never spoke to each other. It is the only spot in the world where you can ask a Serb architect if he knows an Albanian architect or a Serb doctor if he knows an Albanian architect, and he does not. No one wants to

answer. And when they do know someone — there is a sort of 200-metre radius within which the neighbours know each other, 200 metres but no farther. It is a special type of society, but it will evolve, just like all others.

I would like to thank the representative of the Netherlands, whose concerns I share, for his country's support to date, and for its continuing support. I am very grateful for that. We know that we can appeal to some countries, such as the Netherlands, even in the most urgent circumstances, when fast decisions have to be taken. You never fail to respond, and I am grateful.

Let me thank Canada as well, because it is one of the countries that we also turn to at times, just as we turn to all the countries represented here. I hope we will be excused for the abruptness with which we sometimes do this. With regard to the media code that the representative of Canada referred to, yes, it is highly theoretical, and it must also be applied. But what can one expect? Polemics and personal denunciations are a part, perhaps too much a part, of the political campaign that is waged daily, as can be seen in the newspapers. Should we halt the publication of a newspaper when somewhat sharp denunciations appear? This is a very sensitive matter, because at the same time we want to respect freedom of the press. We did close a newspaper for eight days; that was our great demonstration. Now we have a mediator who is trying to make the journalists understand that the code must be followed.

I thank the representative of Tunisia for his encouragement. I shall convey his regards to the Serb National Council. Reduce violence: well, I shall try again to respond. Yes, we try to do that every day. Justice is absolutely essential. In order to reduce violence, there cannot be any more impunity, and to put an end to impunity, the police must be able to arrest suspects and bring them to justice. The judicial system is still flawed, even if it is getting better, and even if there have been trials and there are now enough judges for us to deal with the situation. It is not impossible, but it is difficult.

Malaysia put forward five points: elections, minority participation, crime, Mitrovica and of course missing persons. I appreciate that. We have talked about these things in the field. I am in favour of frankness, and I try to be frank myself, but it is not always easy, as diplomats know. Sometimes, to make progress one has to use persuasion rather than speak frankly about one's disappointments. I have learned that, which proves that one can learn at any age.

Regarding whether we can correct the registration process, the representative of Ukraine asked three specific questions, and I appreciate the comments that preceded those questions. Can the registration process be corrected by 28 October? No. If we did not do it before, we cannot do it now. As I said earlier, the registration process has been carried out by the Organization for Security and Cooperation in Europe and the technical workers, and — Mr. Lavrov talked about this — many independent experts came and contributed. For three months we have been trying to correct the registration process. Will the result be 100 per cent acceptable? Certainly not 100 per cent, but within a range of 1 per cent to 5 per cent, we think. In any case, this percentage can be corrected on the very day when the elections are held, when the voters go to vote; the corrections will be made by hand. Beforehand, we will publish the lists of voters and make them available to the voters in all municipalities two weeks ahead of time, and then one last time the lists can be corrected by our team, by hand. And then we will have a day for registration. I hope that most, if not all, of the defects will be corrected. As for reopening the process, that is not possible, and that was not the spirit of the question asked.

It is very clear that the Zvecan smelting plant workers were paid. There were 600 workers, and 3,000 people were paid. Those whose grandparents had worked there came. The employees of all the factories connected with the Zvecan smelter were also paid. We tried to pay them in dinars; I have often been criticized for paying in deutsche marks. Those people had been paid by Belgrade for years in dinars. Only 10 per cent accepted dinars, while 90 per cent wanted deutsche marks, and we paid in deutsche marks. They are being paid quite a bit more than before, and they are being asked to resume work. We do not have any business plan yet for the complex, but we found money, which was not easy for us to do in a year, so that the emloyees' security could be guaranteed. Security was the first consideration. We have asked 300 of the 600 former workers at Zvecan to work at the plant again. As of now their response is under negotiation; they want 3,000 to work or none at all. That is not possible; there were 600 workers, and there cannot be 3,000. We are negotiating with them so that 300 can work now

and others can join them soon. We think — though I could be wrong about this — that in approximately six to eight months, minimum international norms will be re-established at the smelter. Afterwards we will see. During that time the experts will be working. Fortunately, France, the United States and Sweden quickly provided money to ensure security and safety, and we are already at work with that money.

As for the pact, as I have said before, it is not a legal pact, but an emotional or even a moral pact. "As soon as you hold clean elections, we will talk about substantial autonomy", with debates everywhere, as a number of representatives have recalled.

In response to the representative of Jamaica, we have found some caches of weapons in the Balkans. This is not particularly surprising. True, the arms were not turned in, but in the Balkans in general, and in this region of the Balkans in particular, there are weapons everywhere. Of course, the more we find, the better. I am also pleased that Ambassador Amneus has been appointed. Again, his mandate must include both the prisoners of war and missing persons. But we must move fast. I talked about 68 people who were on a hunger strike. I do not think that violence can be eliminated until news of missing persons is available, even if it is tragic news, because I am sure that many of them are dead. I am sorry to say this. I have started to tell this to the families of the missing persons. Nurturing hope is sometimes very harmful psychologically, and even for society at large. The regulations on trafficking are to be published very soon. Let me emphasize the role of women in Kosovar associations and the role I hope they will play in reducing violence, which began with the electoral campaign. The role of women in the electoral campaign is to encourage democratic debate and perhaps to reduce violence.

Let me say to the representative of Namibia that the allusion to the Turkish population pleases me, because the minorities — those who were not represented in the Kosovo Transitional Council finally came. I appreciate the emphasis given to this. We have negotiated amply to make sure that all members of the Turkish community can participate in the electoral process. Unfortunately, it was requested that Turkish be the third official language. There is an agreement with Ankara — the negotiations were difficult, but respected basic democratic ideals — and we were pleased. In the end, despite that agreement, some Turkish parties did not accept the agreement and wanted their community, which probably numbers about 20,000, to have their language treated as an official language. That was far too complicated and impossible to accept. Nonetheless, almost half of the Turkish community registered to vote, but because of the date other Turkish people were unable to do so. I am grateful for this interest in the representation of minorities.

I thank the President for the comments he made, in his capacity as representative of Mali, about the progress achieved. He used the words reconciliation and tolerance. I share your feeling that reconciliation is necessary. But I believe that before reconciliation — as I have said here in the Council since the outset — we have to talk about coexistence.

The wounds are too fresh, the conflict too ancient. Thirteen centuries on the one side, one year on the other. We cannot talk about reconciliation immediately. Let us talk about conciliation and, first and foremost, about peaceful coexistence. When they stop threatening one another, when the communities agree to at least the status quo, then I hope we can open the door to the very, very beginnings of reconciliation. And this will take many years.

The President (*spoke in French*): I thank Mr. Kouchner for the explanations and replies he has given us.

There are no further speakers inscribed my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Council will remain seized of the matter.

The meeting rose at 6.15 p.m.

United Nations S/PV.4201

Security Council

Fifty-fifth year

Provisional

4201 st meeting

Friday, 29 September 2000, 10 a.m.

New York

President:	Mr. Ouane	(Mali)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Heinbecker
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Namibia	Mr. Gurirab
	Netherlands	Mr. Hamer
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Holbrooke

Agenda

The situation in Burundi

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-66438 (E)

The meeting was called to order at 10.25 a.m.

The President *(spoke in French)*: I note the presence at the Council table of His Excellency Mr. Theo-Ben Gurirab, Minister for Foreign Affairs of Namibia.

Tribute to the memory of Mr. Pierre Elliott Trudeau, former Prime Minister of Canada

The President *(spoke in French)*: On behalf of the Council I should like to convey my heartfelt condolences to the Government and people of Canada, and to the bereaved family, on the death of Mr. Pierre Elliott Trudeau, former Prime Minister of Canada. His deep dedication to the cause of international peace and his firm support for the United Nations and its activities are appreciated by the entire international community.

I invite members of the Council to stand and observe a minute of silence.

The members of the Council observed a minute of silence.

Adoption of the agenda

The agenda was adopted.

The situation in Burundi

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Burundi in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Nteturuye (Burundi) took the Council table.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Nelson Mandela, Facilitator of the Arusha process.

There being no objection, it is so decided.

I invite Mr. Mandela to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I give the floor to the Secretary-General.

The Secretary-General: I would like to thank the Security Council for holding this meeting, which is very timely. Most of all I want to express my deep appreciation to President Mandela for travelling all the way to New York to brief the Council on the current phase of his peace efforts in Burundi. Thanks to President Mandela's work, the peace process has moved forward significantly. The signing of the Arusha agreement on 28 August, followed by the agreement on 20 September in Nairobi on the participation of the remaining three parties, is surely a very important milestone in Burundi's long and painful road to peace.

Let me reiterate our gratitude to President Mandela for the invaluable contribution he has made. As you know, the Arusha agreement is a comprehensive blueprint for the reform of Burundian society. It addresses the root causes of the conflict, such as exclusion and genocide, as well as the tragic consequences of the war, including the plight of hundreds of thousands of refugees and internally displaced people.

However, before this ambitious programme can be fully implemented, a number of obstacles must still be overcome, to which the Facilitator is now dedicating his time and effort.

The United Nations is ready and willing to make its contribution to the success of these efforts — for the sake of the people of Burundi, but also for the stability and prosperity of a troubled region, which could find a source of inspiration in a successful peace process in Burundi for the negotiated settlement of its wider conflicts.

I am grateful that Madiba is here with us today. Let us listen to his assessment, and let us give him our unstinting support.

The President (*spoke in French*): I now give the floor to the Facilitator of the Arusha process, His Excellency Mr. Nelson Mandela.

Mr. Mandela: We are honoured by the opportunity of returning to the Security Council to report to you and to our world body on progress and the current state of affairs in the Burundi peace process.

Our role as Facilitator of the process to which the leaders of that region saw fit to appoint us was in a sense inaugurated with a visit to the Security Council in January of this year. On 16 January we paid our first acquaintance-making visit to Arusha, the seat of the peace negotiations, from where we proceeded directly here to brief the Council and to seek its support for the continuation of the process started by the late Mwalimu Julius Nyerere.

The support we received from the Security Council by way of a resolution and the general expressions of encouragement from members inspired us. It allowed us to take on the daunting challenge of following in the footsteps of the great Mwalimu Nyerere, the highly gifted and revered international statesman, and to continue the sterling work he had done up to that point. We could do so in the confident knowledge that our world body, and through it the international community, took a serious and direct interest in the quest for peace in Burundi. That sense of the international community making the plight of a small and poor country its concern inspired us to involve a range of heads of State and Government in the Burundi peace process.

We said here at our first visit to the Security Council that the continuation of preventable suffering of people anywhere in the world demeaned all of us. The manner in which the international community responded to calls for involvement in the Burundi process was a powerful demonstration that the shared responsibility for the fate of humankind was increasingly being accepted by the modern-day leadership.

It will remain for us one of the most promising features of the Burundi peace process that so many heads of State or Government, or their delegated representatives, gave of their time and energy to attend and participate in the plenary sessions at Arusha. The significance of this, we believe, will resonate even beyond the Burundi issue. It must have sent a powerful message that the leaders in the immediate region, on the continent and on the broader international front care about peace in the world, no matter where it may be under attack. This demonstration of commitment to Burundi must be a clear indication that the neglect of Africa, particularly, is being turned around.

The international interest and participation were crucial for moving the peace process forward. They convinced the Burundian leadership that peace in Burundi was not merely a domestic matter over which they had the liberty to take as much time as suited them. The physical presence of so many other leaders persuaded them of the urgency to find peace. It forcefully demonstrated to them that the quest for peace in Burundi was part of the global search for a world in which conflicts and differences are resolved through negotiation and compromise, rather than through resort to violence.

We must commence our report on the progress in the Burundi peace process with a tribute to the political leadership of Burundi. We reported to this Council in January our faith that there were leaders of quality and commitment in Burundi, people dedicated to finding a lasting peace that would end the carnage and suffering visited for too long on the people of that beautiful country. We are proud to report today that our faith was not misplaced and that the leadership rose magnificently to the challenge. The leaders committed themselves to a particular methodology and procedure that we proposed for advancing the process, and at the end of the day were able to reach an agreement of significant proportions for the future of Burundi.

We proposed in confidential discussions with each of the parties represented at the Arusha talks, and subsequently at a plenary session in the presence of attending regional, continental and international leaders, that the facilitation team be mandated to draw up a comprehensive draft compromise proposal based on the inputs received over the lengthy period of negotiations. On receipt of comments on the draft compromise, a final plan would be drawn up and the parties would agree to accept it as the basis for implementing peace plans in Burundi. The parties agreed to these procedural proposals, and on 28 August a political agreement among the majority of participating parties was signed in Arusha — once more, in the witnessing presence of an impressive array of leaders. A number of parties that did not sign on that date subsequently did so, and the Security Council

needs to congratulate and commend the political leadership of Burundi for this courageous step towards peace in their country.

I wish to publicly record my personal pride, and that of the facilitation team, in the quality of leadership displayed. Few people are aware that the leaders of Burundi that are negotiating in Arusha are highly qualified academically. There are 19 political parties. Six of their negotiators are university graduates in engineering, having qualified overseas, in Brussels, Paris, Germany and Russia. Four of them are university graduates in law, and they too qualified abroad. There are two medical doctors, who also qualified abroad. In addition there are university graduates in mathematics, in economics, in French literature, in biology, in sociology. I have used this in order to move the process forward, and that is why I am supremely confident that whatever problems still lie ahead, we are going to have solid peace and stability in that country.

There obviously remains a range of matters relating to details and implementation that the parties would like to pursue, and that we ourselves require them to resolve among themselves. This is now, however, being done within the framework of a firm political agreement to which the parties are committed. The significance of the agreement is that the political parties now represent a united forum, joined by the compromise agreement reached, and they can deal with the remaining issues and with the combatant forces that are not yet part of the process.

Of these 19 political parties, there are two major political rallies in the country: Unity and National Progress (UPRONA) — the oldest political party and the one to which President Buyoya belongs — and the Front for Democracy in Burundi (FRODEBU), which is the largest political rally in Burundi, led by Mr. Minani. And one of the most encouraging developments is the agreement between President Buyoya and Mr. Minani to work together to resolve problems among themselves, and the two of them have done remarkable work.

Numerous areas of agreement can be cited as examples of how the Burundi leadership practised the art of compromise. We would like to refer only to one: the very crucial and sensitive issue of the integration of a Burundi national defence force. Both Hutu and Tutsi leaders had to depart significantly from their starting positions to arrive at the final agreement that 50 per cent of the defence force would be from the Hutu community and 50 per cent from the Tutsi community, with accommodation being made for the Twa community as well.

It was further agreed that a body of respected persons, independent from the Defence Force, would oversee this process. This, we believe, reflects one of the underlying and fundamental features of the agreement, namely that the democratic rights of the majority are respected, while the fears and concerns of the minorities are simultaneously addressed.

The political agreement reached is obviously not yet the comprehensive and final peace agreement, as some of the main combatant rebel forces are not parties to the signed agreement. The process now continues with a major focus on engaging those forces in direct talks with the political leadership. When we last reported to the Council, we undertook to make the process as inclusive as possible and particularly to open talks with the combatant forces not included at that time.

My concern, when I became Facilitator, was that if the armed groups on the ground were not included, there was no guarantee that if the 19 political parties agreed on the issues, the rebel groups on the ground would respect them. I therefore urged that we should invite the rebel groups to join these negotiations, so that they could be part and parcel of the important agreement that would be reached in Arusha.

That has been done, and we have had numerous fruitful discussions with the leadership of the rebel forces, both in South Africa and in Arusha. From their sides too we have received commitments to finding lasting peace. I say, "that has been done", but I am referring to inviting them to join the Arusha process. We fully accept the sincerity of these pronouncements on the part of leadership of the combatants.

At the same time, we must repeat, here in the Council, what we have on a number of occasions stated to them in our private discussions as well as in public calls: there cannot be any justification for continuing violent attacks on the civilian population when a political agreement has been reached and the way opened for them to bring their concerns to the negotiating table. We call upon them once again to demonstrate the quality of their leadership by announcing a ceasefire and halting the slaughter of

innocent women, men and children, including the disabled.

I must repeat that I regard the leadership of the armed groups as composed of innocent men — men of integrity. But serious political commentators have said that these are not genuine leaders; they are agents of external forces that wish to exterminate the Tutsi community, wherever they are, in Burundi, in Rwanda and other areas. They have said also that no genuine leadership of Burundi, of the Hutu, could continue slaughtering innocent people when in fact the political parties have reached a breakthrough. I have said to both Jean Bosco Ndayekengurukye and Kabura Cossan, the two leaders of the rebel groups, that although I as an individual do not believe this accusation from serious political leaders, nevertheless, by their action of not joining the other leaders in Arusha, they are giving ammunition to their own detractors and undermining my confidence in their integrity, and I have urged them to stop slaughtering innocent people.

One of the questions that they have not answered, but that I have put to them frequently, is, "What military installations have you attacked? How many soldiers have you attacked?" They are unable to answer. But recently — and I do not claim that is because of the pressure I have been putting on them — they have been able to ambush a few military leaders, which one can count on the fingers of one hand, and at one time they were able to attack a number of cadets. But it is quite clear that they are unable to tackle the military installations and the army itself, and that their activities have led to the deaths of innocent civilians. But I have confidence that we will be able, in due course, to convince them.

Some reports to my leader here, the Secretary-General, have indicated that the last summit that we had, in Nairobi, on 20 September, did not produce any good results. That is inaccurate, because although Jean Bosco did not attend, Kabura Cossan of the National Forces of Liberation (FNL) attended, and the heads of State hammered him to give an explanation as to why they are intensifying the arms struggle, killing innocent people, when already there has been a breakthrough and we have signed an agreement. He then said, finally, "I am going back to my organization, and I am going to brief them on what you have said to me. I am confident that I will come back to you with a positive report". Now that is an achievement, and I have confidence in his honour and integrity. I do not think that he was taking the leadership that was present there for a ride.

I want to add that Burundi stands at the threshold of a completely new chapter in its history. That history will judge very harshly those who deliberately choose to obstruct the road to peace and progress. I am confident that the leadership of the combatant forces will not be among those, and I ask the Council to encourage and urge them to help bring about a speedy conclusion to this final part of the Burundi peace process.

Another important new phase awaiting us is that of directing our activities towards Burundi society itself. We have during the course of the present phase of negotiations already visited Burundi, where we met with the Army leadership, the legislature and the judiciary, spiritual leaders and various sectors of civil society. We had the opportunity to visit other areas of the country besides the capital, and also to inspect some of the regroupment camps then still in existence.

The armed groups are saying that the regroupment camps have not been dismantled, that although President Buyoya told me that he would dismantle them all by 31 July he had not done so. I checked with the envoys, the representative of the Secretary-General here, as well as the representative of the Organization of African Unity (OAU), and they assured me that all the camps had been dismantled. But there is a problem, not with Buyoya and the Burundi Government, but with the inmates themselves, as some of them refuse to leave the regroupment camps because of the security situation inside the country. They are afraid that if they go out they will be slaughtered, and they prefer to remain in these regroupment camps. I have no reason to believe that that is not true. When I return to Burundi, I will go back to the regroupment camps, and I am confident that all the envoys have told me the truth.

We now intend to intensify our attention to the internal situation. The agreement reached in Arusha needs to be explained to the people of Burundi and we need to ensure their understanding and concern. A situation needs to be speedily reached in which the leaders of the signatory parties can all return to Burundi to play their parts in this process. I am moving my entire office from Arusha to the capital of Burundi, Bujumbura. For one thing, every time I visit Burundi, the people there, a wide range of different sections of

society, ask me the question: "Those so-called leaders who are negotiating in Arusha — in another country — who gave them the authority to do so? We did not give them the authority."

I have explained to the people in Burundi that our decisions in Arusha will bind us, the 19 political parties and the facilitation team. As far as the people of Burundi are concerned, those decisions will be recommendations. They will be entitled to accept those recommendations as they are or with amendments, or they can reject them totally. But I have the confidence that those decisions are sound, and that good men and women in Burundi will endorse them.

We realize that the security situation in Burundi may not make possible the immediate return of the exiled leaders. I have discussed with the Secretary-General the question of assistance in providing appropriate security for the returning leadership.

We believe that the political leaders of Burundi have made remarkable progress towards peace in these last nine months since we have had the privilege of working with them. We are confident of being closer to the conclusion of this process. The people of Burundi deserve to enjoy the developmental fruits of what will be a remarkable national achievement. For that reason, we have solemnly undertaken to the leaders and people of Burundi that we shall mobilize the international community to assist massively in the reconstruction and development of the Burundi economy and society. We hope with the support of the international community to make of Burundi a showcase of a country where the commitment to peace carries a dividend.

An underlying cause of the conflict in Burundi is to be found in the fierce competition for limited resources, where access is mainly through the State. We hope that the development of a greater private sector component will go a long way to addressing that underlying problem. We have already also started mobilizing countries from the developed world to provide study opportunities to young people from Burundi. The Burundi peace process is not an end in itself; we see it as one part of bringing a better life to the people of that country on a sustainable basis.

We must conclude with expressions of sincere gratitude to all those who have played such crucial roles in the peace process. The Secretary-General of the United Nations has been a constant source of support and encouragement, as has his counterpart in the Organization of African Unity.

The support of so many leaders from the African continent and from further afield has already been mentioned. Without the generosity of the international donor community, none of this would have been possible. The facilitation team did all the hard work, and public acknowledgement of them is due. And, as I have already indicated, ultimately it was up to the leaders of Burundi themselves to make peace.

We look forward to returning here in the not too distant future to report to the Council on the conclusion of the negotiating process and real progress with the implementation of the agreement.

We trust, too, that the international world will with similar enthusiasm participate in the proposed project for the reconstruction and development of Burundi society and Burundi's economy. That will be the ultimate victory for peace.

The President (*spoke in French*): I thank Mr. Nelson Mandela for his comprehensive briefing and for his kind words addressed to me.

In their prior consultations, the members of the Council agreed on the text of a presidential statement supportive of the Facilitator's efforts.

The text of that statement is being made available, and will be issued as a document of the Security Council under the symbol S/PRST/2000/29.

The Security Council has thus concluded its business for this meeting. Bearing in mind the decision taken in the Council's prior consultations, I shall adjourn the meeting now. The Council will continue its consideration of the item in a private meeting with former President Mandela immediately following the adjournment of this meeting.

The meeting rose at 11.15 a.m.

United Nations S/PV.4202

Security Council

Distr.: General
29 September 2000
English
Original: French

Official communiqué of the 4202nd meeting of the Security Council

Held in private in the Security Council Chamber at Headquarters on Friday, 29 September 2000, at 11.20 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued by the Secretary-General in place of a verbatim record:

"At its 4202nd meeting, held in private on 29 September 2000, the Security Council considered the situation in Burundi. The Security Council heard a briefing under rule 39 of its provisional rules of procedure by His Excellency Mr. Nelson Mandela, Facilitator of the Arusha Peace Process.

"The Council had a useful exchange of views with His Excellency Mr. Mandela on the Burundi peace process and issues relating to the implementation of the peace agreement.

"The members of the Council thanked His Excellency Mr. Mandela for coming to New York to brief the Council and commended his efforts on behalf of peace in Burundi."

00-66596 (E) 290900

Security Council

Fifty-fifth year

Provisional

4203rd meeting

Frday, 29 September 2000, 3 p.m.
New York

President:	Mr. Ouane	(Mali)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Heinbecker
	China	Mr. Shen Guofang
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Granovsky
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Ms. Soderberg

Agenda

The situation in East Timor.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-66488 (E)

The meeting was called to order at 3.20 p.m.

The President *(spoke in French)*: I welcome the presence of the Secretary-General, Mr. Kofi Annan, at this meeting.

Adoption of the agenda

The agenda was adopted.

The situation in East Timor

The President *(spoke in French)*: I should like to inform the Council that I have received letters from the representatives of Australia, Brazil, Indonesia, Japan, Mozambique and New Zealand, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Wensley (Australia), Mr. Fonsecu (Brazil), Mr. Wibisono (Indonesia), Mr. Satoh (Japan), Mr. Santos (Mozambique) and Mr. Powles (New Zealand) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Sergio Vieira de Mello, Special Representative and Transitional Administrator for East Timor.

There being no objection, it is so decided.

I invite Mr. Sergio Vieira de Mello to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General and Transitional Administrator for East Timor, regarding the situation in East Timor.

I give the floor to the Special Representative and Transitional Administrator for East Timor, Mr. Sergio Vieira de Mello.

Mr. Vieira de Mello: Since I last briefed the Security Council on 27 June, we have witnessed two opposing developments. On the one hand, there has been a significant deterioration in security and an escalation of violence in Nusa Tenggara Timur — West Timor — most tragically highlighted by the murders in Atambua on 6 September of three staff members of the Office of the United Nations High Commissioner for Refugees (UNHCR). Security, and the measures required to restore it, will thus prominently feature in this briefing, which I very much regret. I had much rather talk of something else.

On the other hand, and more encouragingly, there has been much progress in the reconstruction being carried out by the United Nations Transitional Administration in East Timor (UNTAET) in all spheres and in the establishment of those institutions which will prove critical to the viability of the future independent country of East Timor. In my presentation, I shall also be summarizing some of what has been achieved in this regard. In order to enable me to focus on essential developments in this presentation, a note containing other salient information is being distributed, as has been done in the past.

Let me start by referring to security in West Timor. Since 6 September, I have met twice with the Coordinating Minister for Political, Security and Social Affairs of the Government of Indonesia, Mr. Susilo Bambang Yudhoyono. I stressed, as I had on several occasions prior to this latest crisis, that the militias presented a serious threat not only to East Timor, but also to the very integrity of Indonesia. I repeatedly called not just for their disarming, but also for the arrest of their leaders and their disbanding and relocation.

As a starting point, I believe it is essential to recognize that the root cause of our and Jakarta's problems on Timor island is the militias. Only when this problem has been effectively addressed will we be able to resolve the plight of the remaining East Timorese refugees and focus on developing friendly cooperation between East Timor and Indonesia, to which we are committed. I have pledged our complete

support to Foreign Minister Shihab's comprehensive plan of action to bring about an end to the refugee crisis, but the plan cannot succeed until the militias holding the refugees through threats and misinformation are removed.

And how should we resolve the problem posed by the militias? I must be frank and state that, first of all, the Indonesian authorities have to acknowledge and confront the fact that it is their responsibility to address this threat. We all realize that the militias are not the creation of the administration of President Wahid and that they do not act on instructions from the Government in Jakarta. We sympathize with the dreadful legacy with which the authorities have been left by previous policies towards East Timor.

Nonetheless, the repercussions are likely to be more unrest and loss of innocent lives in West and East Timor unless the root of the problem is recognized and eradicated. Regrettably, I remain sceptical that current activities will achieve this goal. Where resolution and a certain degree of ruthlessness would seem to be required, we are witnessing hesitation and prevarication. As many here are aware, at the request of the Indonesian authorities I sent a small UNTAET delegation to attend a disarmament ceremony in Atambua on Sunday, 24 September, attended by Vice-President Megawati Sukarnoputri, Minister Yudhoyono and many senior Indonesian Armed Forces (TNI) and police officers. On the departure of the Vice-President and her delegation, the well-known suspect Eurico Guterres appeared in the midst of the police compound in which the ceremony had been held. He proceeded to incite his followers and several militia members reclaimed some of the very weapons that formed the *raison d'être* of the ceremony, unimpeded by the very large TNI and police presence. Subsequently, he and several hundred of his followers agitated in and outside the station, while my colleagues were hidden under armed protection of the Indonesian police in a room at the police station for their own safety.

Prior to the ceremony, my colleagues were informed by a senior TNI officer that all the required arrests had been made in the case of the 5 September killing of the militia leader Olivio Mendonça, also known as Olivio Moruk — a murder that occurred in the middle of the night in a remote village. The same officer informed my colleagues that there were still no suspects in the case of the killing the following day of the three UNHCR staff members — murders that happened in broad daylight in the presence of 10 Indonesian police officers. Nor, for that matter, has any one of the suspects been arrested for the killing of the United Nations soldiers.

There could hardly be a more eloquent demonstration of Indonesia's current inability to deal effectively with the problem. This is impunity running rampant. What is required is a coordinated, integrated and comprehensive strategy on the part of the Indonesian security forces, together with the necessary will, to hunt down and break up the militias and bring their leaders to justice. And for that we are still waiting.

This self-evident reality — that the militias are the problem — has, I regret to say, on occasion been lost in some of our discussions on the situation in Timor. The problem does not lie with the refugees, as is sometimes said, for they are a product, not a cause, of the crisis, nor is this in some sense a civil war between East Timorese, as some in Indonesia increasingly attempt to paint the problem. There have been no crossings by armed elements from East Timor into the west, as was last week asserted before this Council. The threat faced is that of militias, operating with impunity in West Timor, that are able freely to launch armed interventions across an international boundary into East Timor.

Nor does the solution lie with having joint patrols of United Nations peacekeeping forces and TNI on the border, as has been suggested on numerous occasions by Indonesia, including in this room, because the problem does not lie along the border. The problem is not on the border but, as I have said time and again, deep inside West Timor. We have agreed, however, to coordinate our and TNI patrols on each side of the border.

In his 19 September address to the Security Council, Coordinating Minister Yudhoyono also emphasized that reconciliation was a key requirement to a lasting peace. I obviously agree with this. There has, however, been some suggestion that neither UNTAET nor the National Resistance Council of East Timor (CNRT) has been working sufficiently hard to encourage political dialogue with pro-integrationists.

This is inaccurate: I have made repeated efforts to engage in discussion with the political leadership of the pro-integration umbrella group, Uni Timor Aswain. From the start, the National Consultative Council in

East Timor had three seats reserved for those parties that voted against independence — one more than their percentage of the vote strictly required — but only two of these have ever been filled. Neither I, Xanana Gusmão nor any other senior East Timorese leader has received any reply to our overtures to engage in genuine talks. Further, time and again, we have organized what we call "look and see" visits by pro-autonomy leaders to visit East Timor and assess the situation at first hand. Again, the response to these gestures has been poor, at best.

UNTAET and the CNRT will continue to persevere in efforts for political dialogue and for reconciliation. Nonetheless, the Council will appreciate that a prerequisite to any talks is that our interlocutors issue a public renunciation of the use of violence to pursue political ends and condemn the recent murders of United Nations staff. A line needs to be clearly drawn between those political leaders with whom there can be dialogue and the murderers for whom there must be justice. I have appealed to the Indonesian Government to help us urgently draw this clear distinction between well-meaning pro-autonomy representatives and thugs, such as Eurico Guterres, who should be behind bars instead of being invited to attend meetings with high-level Indonesian officials, as was the case in Denpasar on 14 September.

With regard to the investigations into the September 1999 abuses, the 1 September announcement by Attorney-General Marzuki Darusman of Indonesia of his first list of persons suspected of perpetrating human rights violations in East Timor last year was a very positive step. We are fully supportive of his efforts, and I pass up no opportunity to meet with him when I visit Jakarta. We look forward to appropriate action being taken against all those listed, as well as to the investigation's bringing its focus to bear not just on the perpetrators of the violence, but also on the commanders and architects who designed and ordered the destruction of East Timor in the wake of the popular consultation.

I turn now to the issue of security in East Timor. We believe that there are between 80 to 150 armed militias in up to 10 groups presently operating inside the territory of East Timor. Their aim appears to be to gather information relating to our military component, to establish themselves and to attempt to gain the loyalty of the local population in villages that are believed to have voted for integration. The presence of militias has caused the displacement of over 3,000 persons in recent weeks.

We have launched an operation — called Operation Cobra — in Manufahi, the district with the most significant militia presence. It is aimed at inducing surrender, capturing or eliminating the militias. This is not an easy task, given the suitability of the terrain for insurgency activities and the limited number of specialized troops we can dedicate to the operation. Nevertheless, on 11 September, six militia members surrendered and the active presence of the peacekeeping forces is making it very difficult for the remaining militias to continue to infiltrate and gain a foothold in East Timor. This was evidenced by the killing of one heavily-armed militia member three days ago near the border in the New Zealand battalion area.

Turning now to political developments, the major political event of the reporting period was the CNRT Congress, held in Dili in late August. The Congress focused on the future vision of the national unity body, its relationship with its composite political parties and a range of national policy issues in the economic, social, security and political spheres. It also re-elected Xanana Gusmão as its President and José Ramos-Horta and Mario Carrascalao as its Vice-Presidents.

What also emerged during the Congress, and which has developed in the days since, has been friction between the main party, the East Timor National Liberation Front (FRETILIN), and the smaller Timorese Democratic Union, on the one hand, and the CNRT leadership on the other. The Congress also spawned the birth of a new Timorese party, the Social Democratic Party, headed by Mario Carrascalao. This has led to an intensification of political activity and discord among East Timorese political leaders, which I personally find quite normal, predictable and desirable in the transition to multi-party democracy. There is some sense, however — and we will have to see how the situation develops — that this may lead to a break-up of the umbrella organization and the commencement of party politics proper. I have been attempting to impress upon the FRETILIN leadership that open political party activity is not incompatible with continued membership in the pro-independence coalition.

As to other key developments, since mid-July, as Council members know, we have had a new cabinet structure, with eight cabinet portfolios held by four

Timorese and four international UNTAET staff. The cabinet sets policy and oversees its implementation on behalf of the Transitional Administration. Thus far, it has deliberated on a wide range of policies and, inter alia, agreed to a framework for taxation, a criminal procedure code, a public-buildings reconstruction plan, the reopening of the University of East Timor, a one-hour shift in time zone for East Timor and a plan to develop legislation for the transport sector. It is currently working out procedures to resolve land-ownership and property disputes and is engaged in a comprehensive budget review. The cabinet has also endorsed a comprehensive joint-border arrangement between Indonesia and the Transitional Administration, later signed with Coordinating Minister Yudhoyono — at that time Acting Foreign Minister, since Minister Shihab was here in New York — in Denpasar on 14 September. The cabinet has also approved our negotiating position in formal talks with Australia on the future of Timor Gap petroleum, which are scheduled to commence on 9 October.

In another important step towards "Timorizing" the Administration, last Monday I appointed Timorese District or Deputy District Administrators in all 13 districts of the country. Consultations are also well advanced for the selection, through an independent committee, of 33 members of the new, all-Timorese National Council, which will replace the present National Consultative Council, whom I intend to appoint in the course of the month of October.

I wish to say a word now on the future defence force. Importantly, the cabinet has also expressed its support for establishing a defence force for East Timor following the release of the King's College study, with which members of the Council are familiar. This decision was the result of intensive discussions, both within East Timor and elsewhere, in which there was broad agreement that East Timor required its own defence capacity. The favoured model calls for a force with a professional regular corps of 1,500, supported by 1,500 volunteer reservists, the core of which would be formed by re-trained fighters of the Armed Forces for the National Liberation of East Timor, with the remainder to be broadly and professionally recruited. It is important that we proceed swiftly with this plan. The creation of an East Timor defence force will be undertaken within the provisions of resolution 1272 (1999) for capacity-building and the creation of an effective administration.

Building on the King's College study, and with the support of expertise from Australia and Portugal, we are currently working on an elaborated budget and development plan for the future defence force. Once this plan is available as a draft, we intend to convene a meeting in Dili to bring together those States that are likely to want to contribute, either through the provision of training, cash or in-kind contributions, to the development of the defence force. At this meeting we would seek concrete commitments that would, we hope, allow training to be initiated before the end of this year. I should stress that we have presently no resources available for this purpose in the consolidated budget of East Timor and would therefore very much — in fact, entirely — be relying on fresh contributions.

Finally, before I conclude, a word on the political transition and the constitutional process. The major elements of political transition are clear, and I have already alluded to those in my last presentation, in late June. As things currently stand, our plan is to hold national elections in the second half of next year, with a view to establishing the constituent assembly. This assembly will be tasked with drafting the constitution, choosing the members of the new transitional government and serving as an interim legislature. Upon completion of the constitution, the assembly would become the new national assembly of an independent East Timor.

The preconditions required for this exercise are a civic education campaign, approval of a law on political parties and the creation of a legal framework in which to hold elections. We have already begun the process in all these areas. We are now commencing with the training of trainers for a nationwide civic education programme. A draft regulation on the establishment of political parties is being given wide circulation for consultative purposes as I speak.

Let me now conclude. While I believe UNTAET has made demonstrable progress in administering East Timor in a strengthened partnership with the East Timorese leading to what you tasked us to achieve, namely capacity for self-governance, there are growing, serious concerns regarding the security situation, particularly in the western part of the island. East Timor's future security is to a large extent dependent on the stability of its relations across the border with Indonesia. So long as West Timor houses those who wish East Timor nothing but harm and who

have such a large number of refugees as captive constituents, then East Timor's already considerable struggles will be rendered that bit more arduous.

We seek the Council's continued strong support to address this issue in an urgent manner. As we approach the first anniversary of the adoption of Security Council resolution 1272 (1999), allow me to reiterate today the invitation I made in late June for the Council to visit East Timor and assess first-hand our achievements as well as our shortcomings. By your presence and concern, you would provide the East Timorese and ourselves in UNTAET with strong encouragement at a particularly critical juncture of the transition we are conducting on your behalf.

The President (*spoke in French*): I thank Mr. Vieira de Mello for his comprehensive briefing and for his kind words addressed to me.

Ms. Soderberg (United States): Welcome to the Secretary-General; it is good to have you here with us today.

I want to first express a warm sense of thanks and welcome to the Special Representative, Sergio Vieira de Mello, first and foremost for being here today, but also for his tireless leadership of the United Nations Transitional Administration in East Timor (UNTAET). His work, together, of course, with that of the East Timorese, has firmly established the path toward full independence for East Timor.

I also want to welcome a distinguished, I guess I can say, "citizen" of East Timor. José Ramos-Horta is here with us today.

During this month of your presidency, we have had a number of Council discussions about both East and West Timor. We have expressed horror at the killing of staff of Office of the United Nations High Commissioner for Refugees (UNHCR). We expressed our strong condemnation of the killing of the United Nations peacekeepers and identified concrete measures to address the underlying factors that led to those killings. We have heard briefings from the Government of Indonesia, and we have decided to send a Security Council mission to discuss the implementation of Council resolution 1319 (2000).

For one year we have been expressing concern about the plight of the East Timorese refugees, and we have been demanding that the militia be disarmed and disbanded. It is equally important, as Special Representative Vieira de Mello suggested in his briefing and as a range of my Government's officials have stressed, that those militia leaders who have committed criminal acts be investigated and put in jail — not allowed to attend ceremonies, but arrested immediately so that they can stop being a threat.

There has to be a credible and comprehensive move against the militia leaders in all of the refugee camps. This is not a question of persuasion; it is a question of justice. The United States notes the steps being taken by the Government of Indonesia that we have been briefed on, but we remain deeply concerned that the root causes of the violence remain unaddressed. Persuasive means are not working. We are all concerned by reports that some of the weapons turned over during the persuasive stage of the Government's campaign against the militias are already back in militia hands.

We are equally concerned by the less-than-helpful comments from some Indonesian officials, referring today to the historic ties between the Indonesian Armed Forces (TNI) and the militia and saying that coercive measures would not be taken. We are further concerned that the police and TNI sweep of the nine refugee camps yesterday and today reportedly yielded something less than 20 weapons. Removing weapons from the camps is vital, but ultimately the key will be the disbanding of the militias and the arrest of its leaders. Only such steps will lead to the goal that we all seek: the cessation of violence — the violence against Indonesian citizens as well as the violence against aid workers and particularly our colleagues within the United Nations system.

It is important to understand that there will be no security in West Timor until the militias are part of the past. It is our message to the Indonesian Government that it is in their interest to take these steps, and we want to help them achieve those goals.

The United States adamantly supports Madam Ogata's policy that the UNHCR should not return to West Timor until the security situation is clearly stable. The Government of Indonesia has spoken about a comprehensive refugee plan to be undertaken in coordination with the international community. While the United States stands ready to contribute, security guarantees are essential and are an urgent precursor to implementing such a programme. It is important to stress that Indonesia is responsible for the care and

security of those refugees in the interim, and it is time to hear the details of the refugee return plan.

We welcome Foreign Minister Shihab's plan to return to the Security Council and to New York on 11 and 12 October to brief us on the progress towards implementing Security Council resolution 1319 (2000). We are glad that during that visit Mr. Shihab will set a date for the Security Council mission to visit Indonesia, as we also intend to visit East Timor. I emphasize again that this mission is intended to support the Government's effort to implement our resolutions.

Currently, there is an important donor meeting of the Consultative Group on Indonesia, scheduled for just a week after Foreign Minister Shihab's visit. The United States and the international community's attitude towards the timing and substance of that meeting will certainly be influenced by the actions of the Government of Indonesia in the next couple of weeks.

Sergio Vieira de Mello's briefing reminds us of the importance of the other half of this story: the situation in East Timor. We need to pay attention to the work of UNTAET and ensure that we are supporting it in all of its important tasks. We particularly welcome the news that the transitional cabinet, made up of United Nations and East Timorese officials, is working effectively. This is not only of vital importance for East Timor; it is also a remarkable model for future United Nations cooperation.

The United States supports UNTAET's aggressive sweeps against militias who have re-entered East Timor combined with continued efforts at national reconciliation. We agree that a complete renunciation of violence is a critical element of reconciliation efforts. The formula of success is straightforward: zero tolerance for violence combined with a high level of openness towards legitimate differences in political views and transparent accountability in a credible court, national or international, for serious crimes.

It is unconscionable that no one — not one person — has been arrested and held for the deaths of the five United Nations workers, three of our colleagues from the Office of the United Nations High Commissioner for Refugees and two of our peacekeeper colleagues. We owe it to their families to ensure that justice is achieved.

Lastly, it is clear that stability is an essential factor as East Timor and the United Nations move to meet the benchmarks that Mr. Vieira de Mello described in our last briefing, on time and in peace.

I would like to conclude by reiterating the strong support of the United States — and I think of the whole Council — for Mr. Vieira de Mello and his colleagues in their work, and through Mr. Vieira de Mello the wide range of United Nations staff and East Timorese who are working towards that target. He is making the United Nations and all of its systems very proud, and I thank him.

Sir Jeremy Greenstock (United Kingdom): I fully associate the United Kingdom with the later intervention by France in its capacity as Presidency of the European Union, and Ambassador Levitte will express, and I warmly support, a very sincere tribute to the work of the Special Representative and the whole team of the United Nations Transitional Administration in East Timor (UNTAET) on the ground, which continues to do marvelous work in very difficult circumstances. The United Kingdom is fully in support of what they are doing.

I just want to make one or two extra points. We think that UNTAET and the East Timorese leadership continue to make steady progress towards establishing a viable State in East Timor, but it is quite clear where the main threat to their efforts is coming from, and Sergio Vieira de Mello's report has graphically illustrated both the unresolved fate of tens of thousands of the compatriots of the East Timorese in West Timor and the dangers in the security situation there. The Indonesian Government has told us more than once that they are disarming the militias and interviewing suspects for the Atambua murders; and yet, as Mr. Vieira de Mello has pointed out, the comprehensive plan of action — and I quote him — "cannot succeed until the militias holding the refugees through threats and misinformation are removed." (*supra.*) He has repeatedly called not just for the disarming of the militias, but also for the arrest of their leaders and their disbanding and relocation. I think it is time for the Security Council to express very explicitly our agreement with the Special Representative that these are benchmarks we cannot do without.

We have noted the Indonesian Government's commitment to brief the Security Council regularly over compliance with Security Council resolution 1319

(2000), but I have to say again that the proposed date of 12 October for the Foreign Minister to come to New York is too late for us to check the action being taken against these benchmarks — against the picture that Mr. Vieira de Mello has depicted for us. We continue to believe that we have to work in partnership with the Indonesian Government and that the Security Council mission to help verify for international credibility what is happening in West Timor is necessary at an early date. Yet, as the Special Representative has said this afternoon, we are still waiting.

I think it is also important that we go to East Timor at the Special Representative of the Secretary-General's invitation for the reasons he gives, not least to give support to what the United Nations administrative team is doing and what the incipient authorities of East Timor are doing to establish their own community. These events have reinforced the United Kingdom's view that the international community has to get on with considering East Timor's defence needs.

The study that has been done by the United Kingdom's King's College has made a number of proposals, and we entirely agree with the Special Representative that preparatory work must now swiftly begin. The United Kingdom will do what it can to contribute to the follow-up work, and we look forward to the proposed meeting in Dili.

Finally, I, too, should like to note that the United Kingdom is certainly included in the part of the international community that is ready to help Indonesia with all of these problems, but we would find it hard to do so — and this is a statement of fact, not a threat — at the forthcoming meeting of the Consultative Group in Tokyo in mid-October if there is no real progress in West Timor. At the most, between now and 12 October, there may be time to show that real progress has begun, but we do not believe that it has yet begun.

Mr. Chowdhury (Bangladesh): Allow me to begin by thanking you, Mr. President, for scheduling yet another public meeting on the situation in East Timor. We are particularly happy to have with us once again Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General. We are grateful to him for the informative and useful briefing on the latest developments. I would like to add that we are happy to see Mr. José Ramos-Horta among us today.

We always find the opportunity to meet and exchange views on East Timor very useful. The reason for this is that the United Nations Transitional Administration in East Timor (UNTAET) has a distinctive character. While most of the United Nations missions are passing through difficult stages, we look up to UNTAET as one which, despite known constraints and the enormity of the task, has been able to achieve a lot. We once again commend Mr. Vieira de Mello for his leadership and perseverance.

We believe the United Nations and all the Member States have a great stake in the success of UNTAET. The need to remind us about this lies in the fact that the period since Mr. Vieira de Mello's last visit to the Council has been a difficult one, both for UNTAET and for the Council. Last June we were looking ahead, speaking about the issues relating to the independence of East Timor, the launching of consultations for developing a constitution, security requirements and capacity-building in vital areas. There also had been with us for some time the thought of whether the military component of UNTAET could be gradually reduced.

We were, of course, quite concerned by the continuing violence and intimidation perpetrated by the armed militia against the refugees and aid workers and incidents of cross border incursions, all of which, cumulatively, translated into a halting of the repatriation process.

More than all that, today we are confronted with a problem of a larger dimension. The burning down of the office of the United Nations High Commissioner for Refugees (UNHCR)in Atambua and the killing of three of its personnel have radically changed the situation in West Timor, jeopardizing, as never before, the safety and security of the refugees and the prospects for their repatriation to East Timor. The Council took serious note of this and unanimously adopted resolution 1319 (2000).

Today we are talking about the violent mindset of a group of people who have crossed all limits of humane behaviour. This raises legitimate questions about our commitment to protecting the innocent, justice, peace and security. The perpetrators of these violent acts cannot be allowed to derail the positive progress made by UNTAET in East Timor.

The Council is resolute in condemning the outrageous and contemptible acts committed by the

armed militia against the United Nations personnel. Such crimes should not go unpunished, as that, in our view, would weaken the very basis of relations between the United Nations and its Member States.

We believe that the Government of Indonesia is conscious of its responsibility in this matter. We see this reflected in President Wahid's recent pronouncements. We welcome his resolve to take steps in the context of the implementation of resolution 1319 (2000). Special Envoy Yudhoyono's meeting with the Council, the four-point plan that he elaborated before the Council and the steps that have since been taken by the Government demonstrate that resolve. We also recognize the need for high visibility results of these steps.

We are very much concerned at the plight of the refugees still living in camps in West Timor, unprotected, insecure and under the looming threat of further violence and penury. With the complete withdrawal of the international aid agencies, they are like a ticking humanitarian time bomb. We understand that UNHCR cannot return to West Timor until there is a credible security guarantee. In this situation, the Government of Indonesia needs to act quickly and firmly to be able to provide the security, sooner rather than later. In the interim, the refugees must be fed, sheltered and protected.

We feel strongly the need to maintain a line of communication between the Council and the Government of Indonesia. The Council should be taken into confidence and consulted. Its role consists, not in undermining the Government, which has the task of implementing resolution 1319 (2000), but in assisting and advising the Government. An eventual Council mission should be viewed in that context, as a useful instrument that could bring positive opportunity and support for the Government. There is no scope for a role any different. In this regard, we look forward to the early October visit to New York by Foreign Minister Shihab, or a high-level special envoy of the Indonesian Government if the Minister is not available.

The President *(spoke in French)*: I thank the representative of Bangladesh for his kind words addressed to me.

Mr. Listre (Argentina) *(spoke in from Spanish)*: I congratulate you, Mr. President, on organizing this open debate, the culmination of your active and skilful presidency this month.

I first thank the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, for the comprehensive information he has provided this afternoon. His presentation clearly shows the magnitude of the excellent work done by the United Nations Transitional Administration in East Timor (UNTAET) over the past few months. I particularly highlight the initiatives taken to make sure that the Timorese increasingly shoulder the responsibility of the day to day running of their affairs. The institutions set up by UNTAET, in consultation with representatives of the local population, will be very useful, bringing an increasing degree of autonomy to East Timor, leading to independence. We trust that these and other measures that Mr. Vieira de Mello has told us about will lay the foundations for elections in the middle of next year in preparation for East Timor's accession to full independence.

Turning to another matter, I must express our concern about the recent violence in East Timor and particularly the attacks on United Nations forces. I congratulate UNTAET on having responded decisively. In future, in the context of the robust mandate given by the Council, the United Nations forces should take all the measures at their disposal to defend themselves against any hostile act by the militias.

I would also like to restate the Argentine Government's strong condemnation of the brutal murder of staff of the Office of the United Nations High Commissioner for Refugees on 6 September in Atambua. As the Council knows, my country attaches the greatest importance to the protection of United Nations personnel and associated staff. We are convinced that States must guarantee the security and personal integrity conditions needed for such personnel to do their duty. Brutal events such as those in Atambua cannot be tolerated. They must be punished immediately and firmly.

In this connection, it is clear that the current problems in West Timor spring from two closely related and mutually reinforcing questions: the presence of refugees and the activity of the militias. On previous occasions we have said that measures must be taken immediately so that refugees wishing to do so may return to East Timor, and that those remaining should be resettled elsewhere on Indonesian territory. Today we add a request that the refugee camps in West Timor be dismantled as soon as possible, thus ending a situation that has lasted for over a year. At the same

time, the militias must be truly disbanded, not simply disarmed.

On 19 September the Coordinating Minister for Political, Social and Security Affairs of the Government of Indonesia, Mr. Susilo Yudhoyono, informed the Council about some of the initiatives taken by the Indonesian Government in connection with the two matters I have just mentioned. We have heard that the disarming of the militias has indeed started but has encountered some difficulties. We support all the efforts made by Indonesia to disarm the militias, as a preliminary step to their being disbanded. We hope that this can take place on the basis of persuasion, but if that is not possible it is incumbent upon Indonesia to use force. No effort must be spared to complete this process in the shortest possible time. We believe that the Indonesian Government should be given whatever assistance it needs to bring this about.

In the light of what I have said, we place great hopes in the visit of Indonesia's Foreign Minister, Mr. Shihab to New York on 11 and 12 October, when we hope to be able to discuss with him every aspect of the implementation of resolution 1319 (2000) and of deciding a date and mandate for a mission to be sent by the Council to Indonesia to study progress in implementing the resolution and to support and assist the Government of Indonesia in bringing about full compliance with it.

Finally, I join previous speakers in conveying to Mr. Sergio Vieira de Mello and the staff of UNTAET the gratitude and appreciation of the Argentine Government for their unfailing courage, dedication and perseverance.

The President *(interpretation from French)*: I thank the representative of Argentina for his kind words addressed to me.

Mr. Theron (Namibia): I wish to thank Mr. Vieira de Mello for travelling to New York to brief us today. His briefing is certainly timely because of the important considerations by this Council following the recent tragic events in West Timor, his subsequent talks with the Indonesian authorities and the Council's meeting with the Special Envoy of President Wahid. Furthermore, the Council will soon have a follow-up meeting with Foreign Minister Shihab. Our exchanges today have provided a clearer idea of the situation on the ground.

I wish to say a few words on the work of the United Nations Transitional Administration in East Timor (UNTAET). My delegation remains satisfied with the progress by UNTAET in the execution of its mandate. We note the continuing positive developments in East Timor's administration process. The continuing high priority that is given to efforts towards reconciliation is commendable. My delegation also disagrees with those that allege that nothing is being done in this regard. Similarly the further increase in economic activities is encouraging since it will have a vital role in the future prosperity of the East Timorese.

UNTAET should be commended for acting firmly against militia incursions from West Timor, as in the case of the recent killing of a militia member in a firefight. Increased militia activities have provided more urgency for the establishment of an East Timorese national defence force, and we welcome the Cabinet decision in this regard. However, it is our hope that the current actions by the Indonesian Government to disarm the militias in West Timor will normalize the situation. We call on the Indonesian authorities to leave no stone unturned in this effort, as well as in disbanding the militias.

With regard to the situation of the camps in West Timor, my delegation remains concerned about the plight of the refugees. We also call on the Government of Indonesia to provide them with all the necessary humanitarian assistance in the absence of the United Nations agencies. We welcome the efforts made by the Government to provide safety to the refugees. It is however, important, that all the provisions of Security Council resolution 1319 (2000) be fully implemented. In this regard, those responsible for the brutal murders of United Nations staff on 6 September should be brought to justice swiftly.

We know that the return of refugees has been extremely slow. However, we would appreciate it if Mr. Vieira de Mello could elaborate a little more on UNTAET's plans in the event of a rapid and large-scale return of refugees to East Timor.

In conclusion, my delegation looks forward to the meeting with Foreign Minister Shihab. I would also like to take this opportunity to reiterate our strong support for Mr. Vieira de Mello and his staff.

Mr. Shen Guofang (China) (*spoke in Chinese*): First of all, I wish to thank you, Mr. President, for calling this public meeting to consider once again the question of East Timor.

The situation is West Timor remains a cause for great concern. United Nations personnel have been attacked and murdered. United Nations officials present at the weapons turnover ceremony were subjected once again to threats and intimidation. The Chinese delegation strongly condemns the incidents of violence against United Nations personnel that occurred in West Timor. We demand that the perpetrators be brought to justice.

The Chinese delegation notes that the Indonesian Government has taken serious, effective measures. It has collected a large number of weapons and has acted to restrain the militias. All these measures have demonstrated the earnest desire of the Indonesian Government to resolve the situation there. We are convinced that the Indonesian Government has the ability to keep the situation under control. Of course, the process of collecting weapons is not without problems, some of which are quite serious. We look to the Indonesian Government to earnestly carry out its commitment to restore stability and order in West Timor, to ensure that violence against United Nations personnel will not happen again and to provide security and safety to the refugee camps in order to pave the way for an early return of United Nations agencies and personnel and to facilitate the provision of humanitarian assistance to refugees, who are in dire need.

Resolving the militia question is a daunting task. For quite some time, the Security Council has been making repeated calls, but so far this issue has not been resolved in a satisfactory manner. Now is the time for a real solution. We look to the Indonesian Government to take genuinely forceful measures. At the same time, we believe the international community should support the Indonesian Government and encourage it to take action, and should refrain from undermining the authority of the Indonesian Government and its ability to keep the situation under control. Particular care should be taken to avoid a course of action that is likely to lead to a confrontation between the United Nations and Indonesia, which would not be well received by the Indonesian people and would have a profoundly adverse impact on the future work of United Nations personnel in Indonesia.

The question of the refugees remaining in West Timor is a complex one that involves many factors. It needs to be addressed in a comprehensive and integrated manner. We hope that the Indonesian Government will continue to extend wide-ranging cooperation with the United Nations Transitional Administration in East Timor. At the same time, the international community should provide the necessary assistance in this regard.

Lastly, we wish to thank the Special Representative of the Secretary-General, Mr. Vieira de Mello, for his comprehensive briefing. We highly commend and fully support the work of Mr. Vieira de Mello and his staff. We thank them for doing great work in a very dangerous and difficult situation.

The President (*spoke in French*): I thank the representative of China for his kind words addressed to me.

Mr. van Walsum (Netherlands): I join other speakers in thanking you, Mr. President, for calling this meeting, in welcoming Mr. Vieira de Mello and in thanking him for his informative briefing.

I have noted the strong emphasis in his statement on the security situation, especially in West Timor, and if I do not dwell on it extensively on my part it is because the matter will be covered in the statement to be made later in this debate by the representative of France on behalf of the European Union, to which my delegation subscribes. Let me just say that we are dismayed at the latest information we have received on the so-called crackdown against militia groups in West Timor. We agree with Mr. Vieira de Mello that Foreign Minister Shihab's plan of action cannot succeed until the militias holding the refugees through threats and misinformation are removed.

Mr. Vieira de Mello has not been here to brief us for about three months, so it is high time for us to commend him once again for the tremendous work done by him and his international staff in rebuilding East Timor from scratch.

At the same time, the involvement of the East Timorese remains essential. Is Mr. Vieira de Mello of the opinion that progress in involving the East Timorese is satisfactory? Or maybe I should rephrase this. Is he of the opinion that the East Timorese themselves feel that this is the case? In other words, is their sense of ownership growing?

Our common interest in seeing East Timor develop into a democratic State based on the rule of law is not confined to civilian institutions, but must also include its future armed forces. We are therefore grateful for all the information Mr. Vieira de Mello has supplied with regard to the future defence force. In the past, my delegation has repeatedly expressed its interest in this issue, and I would like to explain briefly why we consider this so important. The negative developments in West Timor underscore the need for East Timor to have the military capacity to defend itself as far as its resources will allow. At the same time, appropriate institutional democratic checks and balances need to be established. Close United Nations involvement will provide the opportunity to ensure that an East Timorese force conforms to the standards of civilian oversight, democratic accountability and international human rights norms and standards.

We cannot assume that this will happen by itself. United Nations guidance is needed to foster a culture of commitment to democracy and the rule of law in the future armed forces, inter alia, through programmes of civic and human rights education. Also, the armed forces should not engage in activities that fall outside the ambit of their tasks as the defenders of East Timorese sovereignty and territorial integrity.

The establishment of such a force is necessary because the international community cannot indefinitely provide for the security of East Timor. However, it will be some time — perhaps a few years — before such a force will be ready. While everything possible should be done to enable East Timor to fend for itself as soon as possible, in the meantime the international community should continue to provide for its security, in the form of either a United Nations force or a multilateral force, preferably with regional participation.

The President (*spoke in French*): I thank the representative of the Netherlands for his kind words addressed to me.

Mr. Granovsky (Russian Federation) (*spoke in Russian*): We associate ourselves with the words of gratitude addressed to Mr. Sergio Vieira de Mello for his informative and most useful briefing. This time, unfortunately, our customary consideration of the work of the United Nations Transitional Administration in East Timor (UNTAET) is taking place against the backdrop of a deteriorating situation in that area. Here I am referring not only to the recent incidents around the refugee camps in West Timor, but also to instances of militias becoming more active in the eastern part of the island as well. We are particularly concerned at news reports dated 26 September indicating that militia members were armed with automatic weapons and were wearing Indonesian uniforms. We understand that there might be a number of explanations of how the militias acquired such equipment, but in our view this simply highlights the need for the Indonesian authorities to take decisive action to put an end to the criminal activities of the militias.

No less disquieting is the fact that, while militia members were armed with automatic weapons, most of the arms they have turned in have been home-made. In that connection, we would like reliable information about how the weapons handover is being conducted, and about what assessments the Secretariat is relying on.

I wish also to stress that, as far as we are concerned, the efforts of the Indonesian authorities with a view to normalizing the situation in West Timor have not gone unnoticed. We hope that those steps will have a real impact in the very near future. We note that an Indonesian Ministry for Foreign Affairs press release dated 25 September has reaffirmed the Indonesian Government's readiness work with the Security Council to establish a plan and a timetable for a visit to Indonesia by a Council delegation.

I cannot fail to note in conclusion that, as in the past, we highly commend the United Nations Transitional Administration in East Timor for its work, and Mr. Sergio Vieira de Mello for his able leadership. We hope that the next time we consider the question of East Timor it will be in a more favourable atmosphere.

As this is the last meeting of the Security Council for the month of September, Sir, I wish on behalf of Ambassador Lavrov and of the entire Russian delegation to thank you most warmly for your able and very tactful guidance of the work of the Council as its President.

The President (*spoke in French*): I thank the representative of the Russian Federation for the kind words he addressed to me.

Mr. Heinbecker (Canada) (*spoke in French*): I would like to begin by conveying Canada's condolences to the families of the three staff members

of the Office of the United Nations High Commissioner for Refugees (UNHCR) who were slain on 6 September at Atambua, West Timor. Their murders, and the deaths of the as yet unknown number of refugees they were working to assist, are profoundly disturbing to Canada. They strengthen our resolve to see the state of terror in which such refugees live brought to an end.

(*spoke in English*)

We are distressed at the situation in West Timor, both for the people concerned and because of the potential of that situation to further undermine the process of reconstruction in East Timor. We very much welcome the insights offered by Mr. Vieira de Mello on this issue. One year has passed since the international community undertook to end the suffering that criminal militias visited on the East Timorese for simply exercising their right to self-determination. But more than 100,000 of the 250,000 who fled the violence or who were forcibly removed still remain in refugee camps in West Timor. They have yet to experience the freedom from fear and freedom from harm that is their right under international law. Until they can return voluntarily and safely to East Timor or can resettle elsewhere, there will be no closure on this issue. Nor, indeed, will the relationship between East Timor and Indonesia be placed on a proper and normal footing. I have taken particular note of Mr. Vieira de Mello's comment that the militias present

> "a serious threat not only to East Timor, but also to the integrity of Indonesia itself". (*supra*)

For those reasons, the disbanding of the militias and the safety of the 100,000 refugees in West Timor and of the international personnel assisting them must be uppermost in the minds of the Government of Indonesia, as it equally must be uppermost in our own minds. It is important that the Government of Indonesia work closely with the United Nations Transitional Administration in East Timor (UNTAET) and with the UNHCR. This is particularly necessary at the planning stage of any resettlement effort, to ensure that refugees are not simply relocated to an equally hazardous region or exposed to unreasonable hardship or danger along the way.

It is appropriate at this time, and in the light of recent events, to recall the commitment of the Government of Indonesia to ensure the safety of refugees and humanitarian workers. That commitment has been freely entered into, and has been frequently reiterated. We take note of the letter dated 25 September from the Permanent Representative of Indonesia addressed to the President of the Security Council (S/2000/899). We acknowledge that the Indonesian Government has inherited, as Mr. Vieira de Mello has put it, a dreadful legacy. It is therefore important that the Government succeed in securing domestic support to carry out the action required.

And what is necessary to bring an end to militia violence is immediate action. A priority task in that regard is stopping cross-border incursions into East Timor, which in the past few months have caused the death and wounding of UNTAET personnel and of members of the civilian population. Nothing less than the complete disarmament and disbanding of the militias and the arrest and prosecution of the perpetrators of human rights and humanitarian law violations will do. We note that the Indonesian Government and army have begun a two-phase operation aimed at disarming the criminal elements responsible for the recent violence against refugees and aid personnel. At the same time, the fact that no one is even under arrest for the crimes committed at Atambua, crimes that Mr. Vieira de Mello observes were committed in the presence of 10 Indonesian police officers, is unacceptable. Similarly, suggestions by members of the Indonesian Government — suggestions that do not appear to have been officially contradicted — that the recent murders were somehow committed by foreign agents or that the attacks were somehow inevitable, caused by the refugees' presence itself, are, frankly, very worrisome. For those reasons, we emphasize the need for neutral international monitoring of the disarmament process. That way we can all verify whether the militias have been disarmed and disbanded. We will also be able to testify that the efforts of the Indonesian Government are indeed an effective response to the request for action in Security Council resolution 1319 (2000).

Indonesia has taken important steps in investigating the violence that followed the referendum in August 1999. That progress could be lost and Indonesia's reputation could suffer if crime now goes unpunished. We urge the Government of Indonesia to take whatever steps are necessary to arrest and prosecute those responsible for the recent attacks against refugees and international workers.

Finally, we reiterate our call for the Government of Indonesia to work with us on the visit to the region

by a delegation of the Security Council. The Government of Indonesia and the Security Council would both benefit from full and frank dialogue on the best means to resolve the refugee issue and to begin in earnest the process of reconstruction in East Timor.

Mr. Jerandi (Tunisia) (*spoke in French*): My delegation, too, would like to thank Mr. Vieira de Mello for his comprehensive briefing. We are all aware of the high quality of the work undertaken and the commendable efforts made by the United Nations Transitional Administration in East Timor (UNTAET) — which has made progress and obtained concrete results in East Timor — as well as by the Indonesian Government and the humanitarian organizations that have also participated in stabilizing the situation and making the United Nations mission in East Timor a success.

It is clear that the instability of the situation in that region is largely due to the thorny problem of the return of the refugees, which is both a cause and a consequence of the precarious humanitarian situation, unemployment and the presence of uncontrolled militias. These are all aspects that impede a swift and definitive resolution of the problem.

The difficult situation of some hundred thousand refugees is of concern, and is in danger of worsening as a result of the absence of humanitarian assistance from humanitarian organizations because of the dangerous conditions under which they carry out their work. The security aspect is of concern to the Council. As Mr. Vieira de Mello stressed, the activities of the uncontrolled militias and the reprehensible incidents that have occurred recently cast into doubt all of the efforts undertaken in the past year by UNTAET and the Indonesian Government.

In this respect, we encourage Indonesia with regard to both the position it adopted towards the militias and its commitment to put an end to their activities. We believe that the disarmament process begun by the Indonesian Government constitutes a very important stage in the resolution of this problem. This stage will surely be followed by other initiatives that the Indonesian Government will not fail to undertake, given the positive attitude shown by the Indonesian side, which is aware of the importance of maintaining ongoing contacts with the Security Council. The next visit of Minister Shihab is certainly part of this approach.

Security should also be strengthened on both sides of the border in order to minimize the possibility of incursions by the militias. The conclusion on 14 September of an agreement between the Indonesian Government and UNTAET, creating a Joint Border Committee, was encouraging.

We believe that the easing of the security situation would encourage the promotion of economic activities and have a positive impact on the internal situation of the country. Indeed, the economic aspect is one of the greatest priorities to which special attention should be given by the international community. The post-conflict period and its humanitarian and economic requirements will call for intensive efforts so that lasting peace can be established.

Mr. Hasmy (Malaysia): Thank you, Mr. President, for organizing this open briefing on East Timor. We are pleased to welcome Mr. Sergio Vieira de Mello back to the Council and are grateful for his extremely useful briefing. We are also pleased to see Mr. Ramos-Horta in the Council today.

Three months after the Council last heard from Mr. Vieira de Mello, the situation pertaining to the militias has not improved, and there are disturbing reports of militia incidents in both East and West Timor. The slaying of three Office of the United Nations High Commissioner for Refugees (UNHCR) staff on 6 September in Atambua has highlighted the continuing instability in and around the refugee camps in West Timor. The Council and the international community are justifiably outraged by the fact that humanitarian workers have become targets of threats, intimidation and murder as they undertake to carry out their humanitarian tasks. The Minister for Foreign Affairs of Malaysia recently made a statement about that incident in this Council.

These out-of-control militiamen in West Timor are a threat, not only to peace and security in West Timor, but also to East Timor's own journey towards independence. At the same time, the United Nations Transitional Administration in East Timor (UNTAET) continues to remain at considerable risk, despite the improvements in the overall situation since its establishment. It is imperative that these militiamen be effectively disarmed and the refugees protected from their acts of intimidation.

Recently, the Council listened to Minister Yudhoyono, the Special Envoy of the President of

Indonesia, on the measures that have been and are being taken by the Indonesian authorities to manage the situation. We believe that Indonesia will make good on its promise to bring the situation under control. This may take time, but, according to the statements made by Council members today, time may not by on Indonesia's side.

Like others, Malaysia looks forward to the outcome of the investigation into the murder of the three UNHCR personnel, as was assured in President Wahid's letter of 7 September to the Secretary-General. We trust that the Government of Indonesia will get to the bottom of the incident in Atambua and will take firm measures against those found guilty. We will have the opportunity to raise these and other issues when Minister Shihab meets with the Council soon.

I agree with the representative of China that we should be understanding and supportive of the Indonesian Government, and not take a confrontational stance, as that would be counterproductive to our efforts. We should regard Indonesia as a partner with its own problems and constraints, not as an adversary, which it is not.

Clearly, in the light of the still-precarious security situation, the earlier plan to downsize UNTAET will have to be considered with great circumspection until we are sure that the militias no longer pose a serious threat. I would appreciate it if Mr. Vieira de Mello would share his own thoughts on this.

We would like to pay tribute to UNTAET for its continuing work in East Timor and commend the Special Representative and his team for the close working relationship they have forged with the East Timorese leadership in the effective administration of the territory. We have heard this afternoon that UNTAET continues to make considerable progress on several fronts in the implementation of its mandate. Of particular importance is the decision of the National Consultative Council, last week, to approve a regulation on transitional rules of criminal procedures for East Timor, following months of consultation, including the holding of two public hearings in August and September.

Malaysia also welcomes the signing, in Denpasar on 15 September 2000, of a document establishing a Joint Border Committee, consisting of civilian representatives from UNTAET and the Government of Indonesia. Based on our own experience with similar arrangements with our neighbours, we are confident that this mechanism will help boost security along the border between East and West Timor. We encourage UNTAET to forge other bilateral arrangements and mechanisms within East Timor and its neighbour, Indonesia, which would provide a strong and solid foundation for a constructive and harmonious relationship between the two neighbours.

We also note other measures taken by UNTAET in other sectors, such as the registration of cars and other vehicles and procedures for land ownership and property disputes, among others. These measures represent further concrete steps towards nationhood.

My delegation welcomes the recent decision of the transitional Cabinet of East Timor on the establishment of a national defence force based on option III of the independent study by King's College released last month. The option calls for a defence force built upon a base of members of the Armed Forces for the National Liberation of East Timor (FALINTIL) — retrained members — with a professional regular corps of 1,500 volunteer reservists.

The briefing given to us by Mr. Vieira de Mello has clearly underlined the considerable progress made thus far. But many challenges remain which will require the continued strong support of the international community and the United Nations, both during the period leading up to independence and beyond. As a neighbour, Malaysia remains ready to contribute to that process, within its capability to do so.

The President (*spoke in French*): I thank the representative of Malaysia for his kind words addressed to me.

Mr. Krokhmal (Ukraine): I wish to thank you, Mr. President, for convening this meeting of the Security Council on this important agenda item. My delegation welcomes Mr. Vieira de Mello's participation in today's meeting. We are grateful to him for his comprehensive briefing, which has provided us with an objective and, I must say, regrettable picture of the situation in the region.

A simple comparison with the situation that prevailed in the region only a few months ago makes it clear that, unfortunately, there has been a considerable deterioration in the security situation. The numerous acts of violence that have taken place in West Timor have become a challenge to the efforts of the United

Nations. Resumed militia activities have also been reported from East Timor.

The timely and decisive steps taken by the Security Council, including the adoption of its resolution 1319 (2000), have demonstrated its readiness to stop the escalation of violence in the region. We all are concerned about these acts of violence, and we condemn them. We all wish to see the situation in the region return to normal.

In this context, we are pleased to note that the plan of action adopted by the Indonesian Government rests on a responsible, rational, results-oriented approach aimed at ensuring the safety and security of United Nations personnel, humanitarian workers and refugees.

However, greater efforts should be made by the Indonesian Government to stabilize the situation, and it should certainly take a more cooperative approach towards the United Nations Transitional Administration in East Timor (UNTAET).

In this context, the task of putting an end to the militias' activities and disarming and disbanding them should be given top priority. We welcome the fact that the disarmament process is under way. It is quite important to ensure its prompt completion.

My delegation also strongly supports the suggestion put forward by Mr. Vieira de Mello that all those responsible for the terrible crimes committed in West and East Timor be brought to justice.

We strongly agree with a number of previous speakers that continued success in the areas that constitute the major task of UNTAET, such as the return of refugees, reconciliation and the stable development of East Timor, will depend largely on the maintenance of a secure environment. We believe that sending a Security Council mission to the region is the best way to support the efforts of the Indonesian Government to this end.

We attach a great deal of importance to the security situation, and, as such, we would like to commend the activities of UNTAET as well as pay tribute personally to the Special Representative of the Secretary-General. We believe that these activities are strategically coherent, not only in terms of responding to the challenges posed by recent events but also in the context of a long-term perspective of the implementation of Security Council resolution 1272 (1999).

Miss Durrant (Jamaica): My delegation joins previous speakers in welcoming the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, and in thanking him for his comprehensive briefing on developments in East Timor.

Since the last briefing by the Special Representative of the Secretary-General, we have faced the tragic deaths of peacekeepers as well as the brutal murder of staff of the Office of the United Nations High Commissioner for Refugees (UNHCR) in West Timor. We again call for the perpetrators of those murders to be brought to justice.

The murder of United Nations staff strikes at the heart of the work of this Organization, for without staff willing to leave their homes and families to venture out to assist those in need, there will be little work for this Organization to do. My delegation therefore reiterates its call for the disarmament of the militias in West Timor by the Government of Indonesia.

We were deeply disappointed to learn of the paltry yield of weapons in the just-completed disarmament exercise and the continued hostile actions of the militias and their supporters. We recall the briefing given by Special Envoy Minister Yudhoyono, and we expect to receive further information from the Indonesian Government about the disarmament process.

We also continue to believe that a mission by the Security Council, with the cooperation and support of the Indonesian Government, will yield positive results, because it will send a direct signal to the militias and those who seek to harm United Nations personnel that the international community has not turned a blind eye.

The recent events in West Timor have also raised concern about the fate of the East Timorese refugees since the withdrawal of the humanitarian agencies from the refugee camps. The safe passage of refugees to their places of origin is critical, and with the pattern of recent events this may prove difficult in the face of threats, harassment and intimidation by the militias. We support the view expressed by the Special Representative that only when the problem of militias has been effectively addressed will the plight of the East Timorese refugees be resolved.

We recognize that the United Nations Transitional Administration in East Timor (UNTAET) is putting contingency planning arrangements in place, and we welcome the establishment of a joint operations centre by the UNHCR in Dili.

But while the security situation in East Timor is itself generally calm, the recent killing of an armed militiaman near the border points to continued efforts to infiltrate East Timor. In this context, we have noted the plans announced by the Cabinet for the creation of an East Timor defence force.

My delegation would not like to see reversals of any of the gains made in the reconstruction of East Timor. Progress has been incremental, but in examining the events of the past year we must commend UNTAET for the achievements made in involving the people of East Timor in the creation and building of institutions of governance and public administration. We note, however, that there continues to be an acute shortage of qualified, experienced personnel in both the public and private sectors and that many well-qualified East Timorese remain in exile and have been slow to return.

My delegation therefore welcomes the decision to develop a Transfer of Knowledge through Expatriate Nationals (TOKTEN) programme with the assistance of the United Nations Development Programme and United Nations volunteers.

We would also wish to highlight another area of continued concern, specifically the high unemployment rate despite the ongoing efforts to create short-term, quick-impact projects.

In conclusion my delegation wishes to again commend the Special Representative of the Secretary-General and the men and women of UNTAET for their dedicated and dynamic service.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of Mali.

I would like at the outset to associate the Mali delegation with the thanks addressed to Mr. Sergio Vieira de Mello and all his team for the excellent work they have done — under extremely difficult conditions — since the establishment of the United Nations Transitional Administration in East Timor (UNTAET).

I would next like to make a few short comments on the principal questions raised in the typically detailed and lucid briefing made by Mr. Vieira de Mello — a briefing for which I thank him.

First, I would like to emphasize that, like others, we continue to be greatly concerned by the security situation in which, as Mr. Vieira de Mello put it, there has been a tragic deterioration. Mali strongly condemns all the acts of violence, in particular those that occurred in Atambua. We urge the Indonesian Government to take all the necessary measures to ensure security and prevent such acts from recurring.

As regards the situation of the refugees, I would like to emphasize the necessity of quickly coming to a resolution. From this point of view we believe it essential that the Indonesian Government cooperate with UNTAET and the Office of the United Nations High Commissioner for Refugees both in the camps and on the routes of return.

As concerns the transition process, we must call attention to the need to involve the Timorese as soon as possible. We are pleased by the steps taken in this regard and encourage the international community to provide the necessary support for the successful organization of the national elections planned for the second half of 2001 and for the continuation of the efforts that have allowed UNTAET to achieve significant progress in building a democratic and stable State in East Timor.

I resume my function as President of the Council.

Mr. Levitte (France) (*spoke in French*): At the outset I congratulate you, Sir, for completing your month on an issue of particular interest to us and which has allowed us to hear from our friend Sergio Vieira de Mello and to have in the Chamber with us our friend José Ramos-Horta.

I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey align themselves with this statement.

On behalf of the European Union, I would like to once again most warmly welcome Mr. Sergio Vieira de Mello and to thank him for his briefing. We appreciate the remarkable work that has already been done by the

Special Representative of the Secretary-General and his entire team, and their determination to fulfil as effectively as possible the mandate of the United Nations Transitional Administration in East Timor (UNTAET). The European Union reaffirms its solidarity with the people of East Timor and its support for UNTAET in its efforts to meet one of the United Nations greatest challenges: to lead East Timor within a limited timeframe, on the path to democracy and to allow this country to establish secure relations with all its neighbours.

The European Union commends in particular the work done by UNTAET in four fields.

The first is the preservation of public order. Notwithstanding the difficulties encountered at the border with West Timor — about which I will have more to say — UNTAET has done excellent work in the effort to preserve public order in Timor. The European Union encourages UNTAET to pursue the dialogue with the local community and with the political and religious leaders so as to better ensure the promotion of the values of tolerance.

The second field is reconstruction. The European Union is pleased by the efforts UNTAET and the World Bank have made to accelerate the disbursement of specially earmarked funds of the World Bank and thus to remedy the problems encountered at the beginning of the year. The establishment of a consolidated overall budget for the budget year 2000-2001 — which budget was approved at the Lisbon conference last June — constitutes a significant step forward in this regard. The identification and enhancement of the reconstruction capacities of the East Timorese remain essential objectives.

The third field is the establishment of the East Timorese administration. The European Union takes note with satisfaction of the training programme for civil servants that has been implemented by UNTAET and the United Nations Development Programme (UNDP). As a result, the number of East Timorese in the administration has noticeably increased during the last few months. The European Union encourages UNTAET to accelerate the training programme for the civil police so as to ensure a smooth transition when the United Nations force departs.

The fourth and final field is the political transition. The European Union fully supports the process initiated by UNTAET to develop mechanisms for good governance, get the East Timorese more involved in decision-making and prepare them for democracy, after the organization of the elections planned for next year.

As for the transferring of competence that is now under way, the European Union would like to know Mr. Vieira de Mello's preliminary evaluation of the functioning of his coalition Government. What improvements might be possible? Do the donor countries and agencies have a role to play in this field?

The European Union believes that, in order for UNTAET's efforts to be successful, it is essential to maintain a climate of peace and stability in East Timor. In this context, the European Union recalls the request made by the Security Council on 3 August and considers it important that a special briefing on the military situation be held. The European Union would like in particular to have access to current information regarding the military needs of UNTAET, the consequences of the insecurity along the West Timor border, the effective distribution of resources in the territory in accordance with local security constraints, the tasks that have been effectively passed on to the military component of UNTAET, and the prospects for the further evolution of the Mission.

As I already stressed last month, the European Union believes that the conditions are now in place in East Timor to allow the Timorese to undertake the process for a solid and lasting national reconciliation. In this context it is essential that the international community show its commitment to support the rehabilitation and development of East Timor. The European Union will continue to assist the people of East Timor at this critical moment in the establishment of their nation.

The European Union is pleased by the excellent cooperation in East Timor between UNTAET and UNDP and the other specialized agencies and funds of the United Nations. It believes that the quality of this cooperation should, at the appropriate moment, facilitate the exchange of authority between the Transitional Administration and the Timorese Government. A peacekeeping operation cannot take the place of a long-term development programme.

UNTAET has benefited from significant assistance from the international community. The results achieved are considerable and deserve to be enthusiastically commended. However, as with any

peacekeeping operation, it is useful to continuously assess the costs and the adequacy of the means available for success. The European Union will naturally continue to pay attention to this aspect.

I would now like to mention on behalf of the European Union two points of particular concern to us and the entire Council. I refer to the activity of the militias and to the situation of the refugees in West Timor, which we are convinced could have very serious repercussions on the evolution of the political situation in East Timor and might place in jeopardy everything that the international community has achieved through UNTAET.

The European Union energetically condemns the activity of the militias in West Timor. It deplores in particular the cowardly murder on 6 September in Atambua of three UNHCR staff. The European Union urges the Indonesian authorities to arrest and prosecute the perpetrators of that aggression and to put an end to the destabilizing activity of the militias. The Union also calls upon them to guarantee the security of the refugees and of the humanitarian personnel in West Timor so that they may soon resume their work. In short, the European Union calls upon Indonesia to fully implement resolution 1319 (2000), adopted on 8 September.

The Union takes note of the initial steps taken by the Indonesian Government with a view to disarming and disbanding the militias. The European Union hopes that this action will continue and that steps will be taken to make sure that the disarmed militia members do not find any way of rearming.

The European Union recalls the urgent need to settle at the earliest possible opportunity the question of refugees in West Timor. Resuming humanitarian assistance in West Timor and resettling the refugees are essential prerequisites for lasting peace and stability. The Union is prepared, along with the international humanitarian organizations concerned to help the Indonesian Government resolve the problem of refugees in West Timor.

The Union would like to know what measures are planned by Indonesia, UNTAET and the UNHCR to bring about the return of refugees to East Timor or their resettlement in Indonesia. In this context, the European Union invites the Indonesian Government to confirm that it agrees to the forthcoming visit of a Security Council mission to accompany efforts at the national level to implement resolution 1319 (2000).

The transitional period in East Timor is at a crucial juncture. The United Nations mission must, with the East Timorese, pursue the construction of a new democratic, independent State, fully integrated within the region and living in peace with all its neighbours.

The President (*spoke in French*): I thank the representative of France for his kind words addressed to me.

The next speaker on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Satoh (Japan): As we recall the devastation in East Timor a year ago, we realize how much has been achieved since then. Considerable progress has been made in the rehabilitation and reconstruction of East Timor, and preparations for its independence have come a long way. We commend the efforts of the staff of the United Nations Transitional Administration in East Timor (UNTAET), under the able leadership of Mr. Sergio Vieira de Mello, particularly in light of the difficult conditions under which they have had to work.

The situation surrounding East Timor, however, is at a critical juncture. The increased militia activities have claimed the lives of several UNTAET peacekeeping personnel, who have tirelessly dedicated themselves to ensuring security in East Timor. The brutal and appalling murder on 6 September of the three staff members of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Atambua has forced the UNHCR to suspend its humanitarian activities and evacuate its personnel from West Timor.

The task of nation building in East Timor, daunting in itself, must not be undermined by militia incursions. Urgent action is needed to restore law and order in West Timor and to address the plight of refugees, who are no longer receiving assistance from international agencies. The key task in addressing all these problems, as I have stated on previous occasions, is the elimination of violent militia activities, in both East Timor and West Timor. To this end, the militias must be disarmed and disbanded in West Timor, and the perpetrators of the heinous murder of the UNHCR workers must be brought to justice. As is made clear in

resolution 1319 (2000), only the Government of Indonesia is in a position to effectively address the situation.

Japan therefore welcomes the ongoing, determined efforts of the Indonesian Government to disarm the militias. While we understand the complexity of this task, we sincerely hope that the Indonesian Government's effort will bring tangible results, which in turn will pave the way to a solution of the refugee problem.

At the same time, it is incumbent upon the international community to support the efforts of the Government of Indonesia, particularly in light of the domestic difficulties confronting the Government in its effort to advance democracy and to maintain its territorial integrity. In this context, the dispatch of a Security Council mission has to be well thought out. We trust that the Council will be able to send a mission in a manner that will facilitate a solution of the problems by the Indonesian Government.

The refugee programme also requires intensified efforts. More than 150,000 refugees have returned to East Timor, thanks to the efforts of the UNHCR and the Indonesian Government. But in recent months repatriation has come to a halt. We therefore welcome the Indonesian Government's commitment to formulate and implement a comprehensive plan of action, in close consultation with the UNHCR and the International Organization for Migration (IOM). I would like to stress that the plan must be definitive and viable. It must also be responsive to the will of each refugee. Its implementation will surely be an enormous and difficult undertaking, and if the Indonesian authorities are in need of assistance the international community should not hesitate to provide support. Japan for its part is ready to contribute to the best of its ability.

Humanitarian activities, particularly those of the UNHCR and the IOM, must be enabled to resume in West Timor. But this will only be possible if the safety of humanitarian workers is assured. Japan has always stressed the importance of protecting the lives of international personnel, but, most regrettably, it is the personnel working for humanitarian agencies such as the UNHCR that have been repeatedly exposed to danger. The recent death of a UNHCR staff member in Guinea reminds us again. We therefore urge the Government of Indonesia to make every effort to ensure the safety and security of the humanitarian workers. We also call on the United Nations agencies to take every possible precaution to secure the safety of their personnel.

Our efforts to overcome the immediate challenges that I have stressed today must all lead to our long-term goal of successful and peaceful nation-building in East Timor.

Most importantly, every effort should be made to promote national reconciliation through dialogue among East Timorese. The disarming and disbanding of the militias is a prerequisite for achieving this objective. We commend the efforts made by UNTAET to facilitate such dialogue and hope they will continue. The Indonesian Government too has an important role to play in such endeavours. International assistance for the rehabilitation and reconstruction of East Timor also plays a vital role, since this reconciliation process will have a greater chance of success if the people of East Timor have brighter economic and social prospects.

Japan remains unchanged in its commitment to do its part in providing such assistance.

The President: *(spoke in French)*: The next speaker on my list is the representative of Brazil. I invite him to take a seat at the Council table and to make his statement.

Mr. Fonseca (Brazil): I wish to thank you for organizing this open debate on the situation in East Timor. These meetings constitute important opportunities for the States not members of the Council to express their views.

I am glad to acknowledge the presence in this Chamber of Mr. Ramos-Horta, whose leadership was so decisive in the struggle for self-determination in East Timor. I would also like to thank the Special Representative of the Secretary-General and United Nations Transitional Administrator in East Timor, Sergio Vieira de Mello, for his briefing. Mr. Vieira de Mello's briefing could not be more eloquent in showing the roots of the problem of security in East Timor, and we agree with his analysis.

The event that took place at the beginning of this month in Atambua, West Timor, shocked each and every one of us. We should be asking ourselves whether there was anything that could have been done to prevent the violence. The killing of the humanitarian workers was not unpredictable. The deterioration of the security situation in the region had been repeatedly

reported to the Security Council. Other humanitarian workers had been beaten up and harassed before while fulfilling their duties in trying to alleviate the plight of refugees.

Against this backdrop, the sad acts perpetrated in Atambua were by no means a sudden outburst of rage. The assassination of Olivio Mendonça may have ignited the violence, but it was certainly not the main factor prompting the attack. The real root cause lies in the incapacity to disarm and disband the militia and arrest the extremists that are willing to undermine the ongoing construction of a democratic State in East Timor. The threats against United Nations personnel after last Sunday's weapon handover ceremony in Atambua are another symptom of the same.

Brazil supports the full and unconditional implementation of Security Council resolution 1319 (2000). We welcome that the special envoy of President Wahid, during his meeting with the Council last week, provided renewed assurances on the measures that are being taken to quell any further violence.

It is essential that Indonesia continue to do its utmost, with the cooperation of the international community, to disarm the militia, bring to justice those responsible for wrongdoing and protect the refugees. Brazil hopes that enforcement measures taken by Indonesia will be effective in disarming the militias and arresting their leaders.

We are particularly worried about the shortage of food, medicine and water in the refugee camps. Urgent action is needed to prevent an even bigger humanitarian catastrophe.

A durable solution for the refugees that remain in West Timor will require not only resources, but a great deal of political will to put resentment behind and to look ahead for a future of peace and prosperity for all Timorese. The independent State of East Timor will not be built on vengeance, violence or rebuttal. It has to be based on the rule of law, democratic participation and pluralism. In this new State there should be room for all those who are truly committed to democracy.

But it is also important to underline that true reconciliation cannot be attained unless East Timor comes to terms with its recent past. It is important not to let human rights abuses go unpunished, for there is no real reconciliation that can live with impunity.

Finally, in spite of all adversities, the United Nations Transitional Administration in East Timor, under the able leadership of Mr. Sergio Vieira de Mello, is doing a great job in assuring us that the conditions are being created for building a democratic and stable East Timor.

The President *(spoke in French)*: The next speaker on my list is the representative of Mozambique. I invite him to take a seat at the Council table and to make his statement.

Mr. Dos Santos (Mozambique): At the outset, I would like to join preceding speakers in extending to you, Mr. President, my sincere congratulations on your assumption of the presidency of the Security Council for the month of September. We thank you for convening this meeting and affording us the opportunity to take part in the debate. We would like to extend our congratulations to your predecessor for the excellent manner in which he guided the work of the Security Council last month.

We warmly welcome the presence of the National Council of Timorese Resistance (CRNT) Vice President, Mr. José Ramos-Horta, a Nobel Peace Prize laureate in recognition of his role in the struggle for the self-determination of his people.

One year has elapsed since the people of East Timor, in a free and fair referendum, took the historic decision to vote for the independence of the territory. Since then, positive developments have taken place in the territory as a result of the determination of the people of East Timor to live in an environment of peace and stability and to begin the daunting process of national reconstruction. With the support of the United Nations Transitional Administration in East Timor (UNTAET), the Timorese are engaged in the promotion of a national political dialogue which will contribute towards national reconciliation and create the basis for the future government of the territory.

We are equally pleased to note that there has been significant progress in the restoration of basic social services. We are encouraged by the reopening of a large number of schools despite the difficult conditions under which they operate. The public health care system is slowly recovering, with the support of the United Nations, donor countries and non-governmental organizations.

We believe that the establishment of the transitional administration will go a long way in constantly improving the living conditions of the people as well as in laying the foundations for an independent East Timor.

We are gravely concerned over the continued violence and destabilizing activities of the armed militias, violating East Timor borders, attacking United Nations peacekeepers and seriously undermining the repatriation of more than 100,000 refugees. The recent attack by the militia against the United Nations High Commissioner for Refugees office in Atambua, which resulted in the murder of three international workers and the destruction of the office, is a clear demonstration of the violent acts perpetrated by the militias.

While paying homage to those brave international workers who chose to care for and to aid the people of East Timor, we cannot accept the continuation of such acts of violence, which create an environment of instability. We would like to appeal to the Government of Indonesia to take all necessary measures to stop these activities by the militias. This should be done with a great sense of urgency, in order to alleviate the suffering of the East Timorese people and to allow international workers to assist them. We note the information that the Government of Indonesia has initiated the process of disarming the militias. We hope this process will proceed speedily and effectively and will culminate in the disbanding of these forces of instability.

We register our profound gratitude and appreciation to the Special Representative of the Secretary-General and Transitional Administrator of East Timor, Mr. Sergio Vieira de Mello, not only for his important report today, but also for his relentless efforts and dedication to the cause of peace and stability in East Timor. Under his leadership, UNTAET is doing a remarkable job in creating all the necessary conditions for the independence of the territory, so long awaited by the people of East Timor and the international community. As a Portuguese speaking country and as the current Chairman of the Community of Portuguese-Speaking Countries, Mozambique will continue to make its modest contribution to UNTAET and the transitional process so that we can soon celebrate the entry of independent East Timor into our Community as the eighth member.

The President *(spoke in French)*: I thank the representative of Mozambique for his kind words addressed to me.

The next speaker on my list is the representative of New Zealand. I invite him to take a seat at the Council table and to make his statement.

Mr. Powles (New Zealand): I thank you, Mr. President, for calling this open meeting of the Security Council and for the opportunity to address it.

As I have said previously in the Council, New Zealand has a direct interest in the security and the stability of East Timor. In fact, as I speak, my Prime Minister is in Dili and will shortly be meeting New Zealand troops stationed with the United Nations Transitional Administration in East Timor (UNTAET) in Suai. And earlier this week New Zealand United Nations peacekeepers clashed yet again with heavily armed and aggressive militia units in the Suai district, just eight kilometres from the West Timor border.

We therefore strongly add our voice to calls by Council members and others for all the provisions of Security Council resolution 1319 (2000) to be implemented without delay by the Government of Indonesia. West Timor must be rid of dangerous militia units that have demonstrated to the world that they care little for the stability of either East or West Timor. By their presence and actions these militia units are preventing the international community from helping the Government of Indonesia provide much-needed assistance to East Timorese refugees. The longer these militias prevail in West Timor, the more unstable the border with East Timor will remain, a situation no one can tolerate. Militia members, and especially their leaders, who are suspects in the recent murders of United Nations civilian and military personnel and innocent civilians, must be arrested immediately and put on trial.

We say this not without understanding of the complexities facing the Government of President Abdurrahman Wahid of Indonesia. It is the New Zealand Government's wish to provide more assistance, but we can do so only when peace and security are restored to West Timor and international humanitarian personnel are able to return without fearing for their lives. We therefore call again for the earliest dispatch of the Security Council mission to Indonesia and East Timor to help this serious situation.

Finally we wish to express our gratitude to the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, and all UNTAET staff for their ongoing dedication to the preparation of East Timor for independence. New Zealand will continue to provide support to the East Timorese people and UNTAET as East Timor's journey to nationhood continues.

The President (*spoke in French*): I thank the representative of New Zealand for his kind words addressed to me.

The next speaker on my list is the representative of Australia. I invite her to take a seat at the Council table and to make his statement.

Ms. Wensley (Australia): Thank you, Mr. President, for arranging this open meeting of the Council, which has given non-Council members and others whose interests are vitally and directly engaged in these matters, such as the very welcome José Ramos-Horta, the opportunity not only to hear directly from the Secretary-General's Special Representative, but also to hear the views of all Council members in what I might describe as an unfiltered and unabbreviated fashion.

Through you, Mr. President, I would also like to thank Mr. Vieira de Mello for his candid and, indeed, compelling briefing. My Government values greatly the progress which has taken place under his leadership as the Transitional Administrator in East Timor. We congratulate him and all members of the United Nations Transitional Administration in East Timor (UNTAET) most warmly on their continuing and effective management of the transition process, despite the many continuing challenges to their work.

We also want to take this opportunity to pay tribute to, in addition to the UNTAET team on the ground in East Timor, all those Secretariat officials at United Nations Headquarters who support UNTAET activities from this end. They have many competing pressures and demands to deal with. Yet they continue to handle their responsibilities very effectively, showing real commitment and dedication to making this unique United Nations operation succeed.

This open meeting obviously provides a timely opportunity for members of the Council and other members of the international community to voice their continuing concerns about the security situation in both East Timor and West Timor. We continue to place a high priority on the emergence of a future independent East Timor which is stable, democratic and secure and which has good relations with Indonesia and with its neighbouring region. The situation in West Timor is of deep concern to Australia because it continues to undermine progress towards all these goals.

My Government is extremely concerned by the ongoing militia activity and the obvious deterioration in the security situation in West Timor since the last open debate in the Security Council. We condemn the militia attacks which resulted in the deaths of three staff of the Office of the United Nations High Commissioner for Refugees in Atambua in early September. My Government conveys its sincere condolences to the Governments and the families so sadly affected. We look to the Government of Indonesia to ensure that the perpetrators are brought swiftly to justice. Australia strongly supports Security Council resolution 1319 (2999) of 8 September, and we look forward not only to its early, but to its full implementation.

We have welcomed the Indonesian Government's undertakings to resolve the security problems in West Timor and, in particular, the timetable that it set out for disarming the militia. We note that Indonesia is in the process of working through this timetable, and we recognize that the process still has some way to go before it is fully implemented.

In this context, however, reports of militia members continuing to act with impunity during implementation of the process that Indonesia has laid out, as in the events which followed the disarmament ceremony in Atambua on 24 September, are, to say the least, extremely disturbing. Recent incidents of militia contact with the UNTAET peacekeeping operation in East Timor in recent days also underline the need for further action. More needs to be done if the disarmament process is to succeed. Specifically, there are a number of steps which my Government believes need to be taken for this process to be successful. They include the permanent surrender — voluntary or forced — of all weapons by militia, the arrest and trial of suspects in the UNHCR staff killings, the arrest of key militia members, and the disbanding of the militias.

It is incumbent on the Indonesian authorities, in particular the Indonesian Military Forces (TNI) and the police, to take whatever steps are necessary to deliver

on Indonesia's undertakings to the Security Council. Australia and, as has been made abundantly clear by the speakers who preceded me in this debate, the international community are closely watching what concrete steps are being taken on the ground, and we look forward to the achievement of tangible results.

Resolving the militia problem in West Timor is clearly a matter of importance not only to the international community, not only to East Timor and not only to the East Timorese refugees remaining in camps, but to Indonesia itself. The activities of the militias in West Timor are adversely affecting Indonesia's internal security and are having a negative impact on international perceptions.

Ultimately, resolving the security problem in West Timor will be critical for resolving the refugee situation there. Australia reiterates the importance of Indonesia providing effective security to ensure that there is no militia intimidation, that there is unimpeded access to camps for UNHCR and that there is a credible registration process. The international community has already indicated its willingness to provide assistance in implementing Indonesia's proposal to close the refugee camps. However, provision of effective security by Indonesia remains an essential prerequisite for us to proceed with such assistance, and only Indonesia can ensure this.

Even as we are concentrating on this problem of the militias, we all need, as the Permanent Representative of Canada reminded the Council, to keep our focus on the situation of the refugees now, without the presence or the protection of UNHCR or other international personnel. At this very critical time, it is also important that local West Timorese authorities take effective measures to ensure the well-being of refugees, including through effective distribution of food supplies and the other necessities that were mentioned by the Permanent Representative of Brazil.

The President (*spoke in French*): I thank the representative of Australia for the kind words she addressed to me.

The next speaker is the representative of Indonesia. I invite him to take a seat at the Council table and to make his statement.

Mr. Wibisono (Indonesia): I should like to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of September. My congratulations go also to your predecessor, the Permanent Representative of Malaysia, on his skilful stewardship of the Council's activities last month. Allow me to thank the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, for his briefing on the situation in East Timor.

Ever since the New York agreement of May 1999 and the holding of the popular consultation of 30 August 1999, we have borne witness to a remarkable transformation of the question of East Timor. Indeed, Indonesia's new democratically elected Government led by President Abdurrahman Wahid, immediately after assuming official responsibility, honoured the decision of the East Timorese people. In that regard, it should be noted that the letter dated 25 October 1999 from President Wahid to the Secretary-General conveyed the decision of the People's Consultative Assembly on arrangements for the transfer of authority. Despite the sincere and concerted efforts of my Government over the past year, the Atambua incident of 6 September 2000 has regrettably brought to the forefront residual problems, including that regarding the refugees in West Timor, which have become formidable challenges for all parties concerned.

In that regard, my delegation would like to reiterate its decision on the need for a comprehensive resolution of the remaining problems relating to this item, which can be achieved only through the adoption of bold measures on four main questions. These would involve, first, an investigation of the Atambua incident of 6 September 2000 and bringing the perpetrators to justice; secondly, disarming the militias; thirdly, reaching a comprehensive solution of the problem of East Timorese refugees; and finally, promoting reconciliation among the East Timorese.

With regard to the investigation of the Atambua incident of 6 September 2000 and to bringing the perpetrators to justice, the Indonesian Government has accorded priority to handling this matter. Investigations by the relevant authorities into the killing of the three members of the staff of the Office of the United Nations High Commissioner for Refugees (UNHCR) and into the murder of Olivio Mendosa Moruk are continuing. As to the former, a suspect by the name of Sisto Pereira has been arrested and is being questioned. Almost a month after the occurrence of that tragic incident, our outrage has not abated. My delegation is constrained to point out that in the emotionally charged

environment caused by the killing of a militia leader on 5 September 2000, police officials on duty had asked all UNHCR personnel to vacate the office under their protection. Of those 13 personnel, 10 complied with that request and were escorted to safety, while three UNHCR staff members chose to remain and hence could not be saved.

On the question of disarming the militias, the Indonesian Government has adopted a two-step approach. The first step laid out a specific time-frame for the militias to surrender their weapons voluntarily: by 24 September 2000. On that date, in a ceremony witnessed by the Vice-President, Megawati Sukarnoputri, and other high-ranking Indonesian officials, as well as by UNTAET officials, militia members surrendered the weapons in their possession. This involved the voluntary handover of 888 home-assembled weapons, 34 standard weapons, four grenades and 1,000 rounds of ammunition.

My delegation would like to stress that the process of disarming the militia did not begin just on 23 September 2000, but has been under way since December 1999, resulting in the seizure of 817 firearms, consisting of 214 standard weapons and 603 home-assembled weapons, and 19,926 rounds of ammunition and 66 grenades. Mindful of the complexity of this process, and to ensure that it was conducted in an orderly, peaceful and thorough manner, the Indonesian Government extended the period from 24 September to 27 September 2000. Since then, an additional 215 weapons, including four units of M-16s and 13 grenades, and 1,900 rounds of ammunition, have been surrendered.

In the light of those facts, Indonesia considers certain comments with regard to the handover of weapons on 21 September to be most unfortunate and ill-advised, as they reflect a failure to fully appreciate the prevailing realities of the disarmament process. Every single one of those weapons could have maimed, injured or killed innocent civilians. Any shortcomings in the handover ceremony should not, and cannot, detract from the basic, indisputable fact that a large quantity of weapons were surrendered to the police on that day and that, accordingly, security in the refugees camps and in Atambua generally has been enhanced. Moreover, the comments indicate an acute inability to recognize the political significance of the occasions on which the individuals concerned have opted to pursue their legitimate aspirations through peaceful means by renouncing violence.

Indonesia also takes strong exception to any suggestion that the scuffle that broke out following the handover ceremony testifies to the inability of the Indonesian police to maintain order. On the contrary, despite the potentially volatile situation, the police were able to quickly drive the excitable crowd out of the police compound and safeguard the surrendered weapons — those that were briefly retrieved were quickly surrendered to the local military commander — and protect the UNTAET personnel who were in the compound at the time, and provide them with the necessary military escort for their journey back to Monta Ain en route to Dili.

Indeed, the commotion following the handover ceremony confirmed the Indonesian Government's forewarning that the disarmament would be fraught with challenges. This was not a unique local phenomenon; it is, in fact, inherent in any effort to disarm individuals or groups bent on retaining their weapons. It is for these reasons that the emphasis was first placed on persuasive matters.

Furthermore, commencing on 27 September, the sweeping operation — the second step — was carried out by a joint police and Indonesian armed forces (TNI) team to persuade people to hand over, or to forcibly confiscate, weapons which are still at large. Although these operations are continuing, they are not without risk, not least to the ordinary people, whose safety and security are paramount. Under these circumstances, we should not second-guess those in the field with intimate knowledge of the tasks at hand, pontificate or make endless calls for Indonesia to disarm and disband the militias. Rather, the international community should issue unmistakable words of encouragement to those who are, at this very important moment, doing their level best to carry out these important tasks.

Understandably, the commencement on 27 September of the phase of the forcible confiscation of weapons generated a fair degree of anxiety in Atambua because of wary anticipation or rumours of possible violence and public disorder. It is gratifying to note that such assumptions have been largely unfounded. The awesome display of force by the Indonesian police had its intended deterrent effect on would-be trouble makers and in reassuring the general public of their

safety and security. Just as important, the Indonesian police and the TNI have continued to work closely with the local district authority and local community and religious leaders in promoting calm, resulting in the maintenance of general law and order in Atambua.

The issue of refugees almost always creates a dilemma for the international community, especially with its many and multifaceted problems. The question of East Timorese refugees in no exception. More than one year on, the presence of East Timorese refugees in West Timor is proving to be more of a financial burden with each passing day. Indonesia has done far more than its fair share in extending assistance to them. Urgent steps have been implemented to take over the task of providing humanitarian emergency relief due to the departure of the Office of the United Nations High Commissioner for Refugees (UNHCR) and other relevant humanitarian agencies. On 24 September, the Vice-President personally oversaw the provision of such assistance in Atambua. Pivotal in this field has been the role of the provincial government, which since 10 September, has initiated phase I of the relief operation, namely, the distribution of 1,040 tons of rice.

During phase II, begun on 27 September and continuing until 6 October, 918 tons of rice are to be distributed, with additional cash in the amount of 1,500 rupiahs per person per day for meals. Approximately 130,000 refugees multiplied by 1,500 will amount to 1.95 billion rupiahs.

Commencing on 6 October, assistance will be channelled through the affected districts. Hence, Indonesia is not shirking its responsibilities to the East Timorese refugees. But we believe that that this is a shared responsibility. The United Nations, including the Security Council, has an important role to play to extend urgently needed assistance at this critical hour of need. In order to alleviate the plight of the refugees, much more is needed than mere rhetoric and platitudes, which need to be reinforced by concrete plans for action. As always, my Government stands ready to work with the United Nations in a spirit of cooperation and mutual respect to resolve the outstanding problems.

My Government has consistently pointed out the urgent need to promote the reconciliation of the East Timorese people of all political persuasions, which the French Ambassador and other speakers have mentioned. It is hoped that UNTAET will ensure that there is an effort to promote an all-inclusive reconciliation process. It is regrettable that little progress has been achieved so far on this track. Thus, while calls for disarmament are justifiably made to the pro-integration side, they should be equally applicable to FALINTIL if a process of genuine reconciliation is to begin. Merely disarming one side would only provide a short interval of peace, as feelings of deep resentment and anger would continue to fester and a lasting peace would prove elusive.

My Government has therefore offered a hand of cooperation to UNTAET to facilitate such reconciliation, and it stands ready to work towards that end. In this regard, it is pertinent to note that Indonesia initiated the meeting that took place in Denpasar on 14 September 2000, which was attended by UNTAET, the leaders of CNRT and UNTAS.

As East Timor moves further along the path to independence, it is of the utmost importance that the pro-integration group, which constitutes 21.5 per cent of its population, be encouraged to participate in its nation-building endeavour, as it has the same rights and responsibilities as the pro-independence supporters. These efforts should be pursued in earnest, as they offer the only viable path to replacing decades of mistrust and enmity with a prosperous future built on trust and amity. Only then can its people relegate this conflict to the past and look forward to opening a new chapter in their lives, characterized by peace, harmony and stability.

In an effort to ensure that the Council is kept apprised of ongoing developments, the Special Envoy of Indonesia was dispatched to brief its member States on the comprehensive plan of action to disarm the militias and on the other important measures that it had already undertaken. As a follow-up, the Foreign Minister of Indonesia, Mr. Alwi Shihab, will return to New York on 12 October 2000 to brief the Security Council and the Secretary-General on the progress made by the Indonesian Government in implementing Security Council resolution 1319 (2000). These endeavours by my Government reflect its sincerity and commitment to ensure an open channel of communication and information between Indonesia and the United Nations on the unfolding situation.

The President *(spoke in French)*: I thank the representative of Indonesia for the kinds words he addressed to me.

I shall now give the floor to Mr. Sergio Vieira de Mello to respond to the comments and questions raised.

Mr. Vieira de Mello: First of all, allow me to thank all those who took the floor for their strong expressions of support, not just for the United Nations Transitional Administration in East Timor (UNTAET) but for the East Timorese at large in this difficult transition to independence.

The representative of Malaysia, Ambassador Hasmy, encouraged us to forge more bilateral ties and arrangements with the Republic of Indonesia. He is right, and, as he knows, in the very early stages we launched a process of bilateral negotiations with Indonesia, which was reinforced, during the visit of President Wahid to Dili on 29 February, by the signing of a joint communiqué between Foreign Minister Alwi Shihab and myself which charted the future of those bilateral negotiations. Those negotiations continue and, I must say, have made a great deal of progress in a number of important areas in terms of creating the framework for future relations between East Timor and its main partner, Indonesia.

The joint border agreement that we signed in Denpasar on 14 September is one such example. In fact, the suggestion for the establishment of a Joint Border Committee came from us in March, in discussions both in Kupang and later in Jakarta with the then Minister of Defence, Juwono Sudarsono, as well as the Commander of the ninth military region, General Kiki Syahnakri. I am delighted that the document is signed, because it is very broad. It covers not only security but a number of other trade and cross-border types of contacts between the Indonesian Government and UNTAET; the exploitation of natural resources, including water, on both sides of the border; veterinary concerns; and so on. It is an all-encompassing document which, I am sure, will lead to substantial improvement in the relations between East Timor and West Timor in particular.

Our philosophy, I want to reassure Ambassador Hasmy, has not changed and cannot change. Relations of confidence, partnership and cooperation are vital in the long term for East Timor, and I know that President Wahid of Indonesia and his Government share that view.

I am also very happy that there has been unanimous recognition here that dealing with the question of militias, including, I must underline once again, the arrest of their criminal commanders, is the central issue before us. I have also pointed out to Coordinating Minister Yudhoyono that, as far as disarmament is concerned, we are particularly interested in the confiscation and destruction — preferably public destruction — of weapons such as G3s, SKS rifles, M-16s, rocket launchers, grenades and ammunition for these, rather than homemade weapons.

Having listened to the representative of Indonesia a while ago, I fear that the message I tried to convey earlier has not been fully apprehended — that is, that the militia must be clearly separated, in theory and in practice, from well-meaning pro-integration political leaders, with whom we have always been open to discussions and with whom we shall remain open to re-establish dialogue. I provided the Coordinating Minister, in our meetings in Jakarta and in Denpasar - the President of the National Council of Timorese Resistance (CNRT), Xanana Gusmão, was present at one of those meetings — with a long list of examples of efforts made by the CNRT leadership, by the FALINTIL commander and by us — including your obedient servant — in order to establish a constructive dialogue with those political leaders, to no avail so far.

I have given the example of a meeting to which I invited the leader of UNTAS, Mr. Domingo Soares. He chairs that umbrella organization of pro-autonomy movements. I invited him to my hotel in Jakarta in late March and handed over to him my personal response to a letter he had addressed to me raising many questions about the electoral process last year, the process that led to the popular consultation. We had a very constructive, in fact very cordial, meeting with him and with seven of his senior colleagues. He promised that he would share the contents of my letter with other UNTAS leaders who were not present in Jakarta and that he would come back to me with proposals on the next steps for this dialogue leading to lasting reconciliation between the East Timorese. I have been waiting every since for that call, and, believe me, I have tried to provoke that call by requesting my colleagues to re-establish contact with him and telling him that we were waiting for his proposals, as was the presidency of the CNRT. This is only one of the many examples that I could give here, but I do not want to

bore the Council with a detailed catalogue of those initiatives.

Regarding the Defence Force, I am grateful for the broad support that I have heard from those who addressed this question for the proposed course of action and for the convening of a meeting of interested countries, which, with the support of the Council and that of the Secretary-General, I now intend to convene later in the month of October or in early November. I thank Council members also for the expressions of concrete support from several speakers in preparation for that meeting.

Let me also state, commenting on something that Ambassador Wibisono just said, that I do not believe it is possible to establish a symmetry between the FALINTIL and the militia. I have briefed the Council on the future of the FALINTIL. This was at the core of the problem we faced earlier this year — the problem that led the United Kingdom to propose an independent study, which was carried out by the Centre for Defence Studies of King's College in London. That study, as we know, focused not only on the future defence force for East Timor, but also on the role that the FALINTIL could play in the creation of that defence force. I have alluded to this in the past. I alluded to it again this afternoon. It is something on which I also briefed the Coordinating Minister for Political, Social and Security Affairs of Indonesia on Monday of last week in Djakarta. So I think the future of the FALINTIL is clear in everybody's minds. I am afraid that that is not yet the case as regards the militia.

I also take note of the remark by Ambassador van Walsum and his reference to the likely need for an international force to remain in place and continue to provide for East Timor's security until the Timorese are able to fend for themselves. I would add that this will be necessary not just in the security area, but in a number of other capacity-building areas where obviously we shall not have attained a benchmark by the time East Timor accedes to full independence.

In response to Ambassador Hasmy's question on the downsizing of the military component of UNTAET I was a strong supporter of the gradual downsizing of our military component. But I have recommended that the downsizing be suspended — and the Secretary-General agrees with that recommendation — until the security situation improves, until it is clear to the Council and to us that the downsizing can resume without putting in danger all that we are trying to achieve on the basis of the mandate that the Council entrusted to us.

The representative of Namibia asked me whether there was a contingency plan for the possible sudden influx of refugees from West Timor, and Ambassador Durrant of Jamaica noted that such a contingency plan was in place. We have established a joint operation centre at the headquarters of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Dili. I visited this centre last Saturday and was briefed about the concept of operations, as it were, in the event that we were to be faced with a large-scale influx. The Office for the Coordination of Humanitarian Affairs (OCHA) — the Office for which I am responsible here in New York — will be entrusted, as is normal, with the coordination of the humanitarian agencies, including the International Committee of the Red Cross, which will have an important role to play should such an influx occur. The military component of UNTAET, our police, as well as other civilian components of the Transitional Administration and, needless to say, the East Timorese partners are represented in that mechanism, which is now prepared for an influx of up to 100,000 refugees.

Council members know that our estimates vary. The United Nations believes that there remain about 100,000 to 120,000 refugees; the Indonesian Government believes that the figures is 130,000. In fact, nobody really knows, because we were never able to carry out a thorough registration of the refugee population. But we are ready on the East Timorese side to receive as many as 100,000, although we do not believe that many are likely to voluntarily go back. We have several transit centres established, and sufficient goods and facilities are available to care for this fairly large number of people — with the hope that this will never materialize and that we will, on the contrary, be able to carry out the return of these people in accordance with the comprehensive plan of action put forward by Foreign Minister Shihab.

No one wishes more than the East Timorese and ourselves to see this question of the refugees resolved — including the local settlement or resettlement in Indonesia of those who wish to remain there, and who are perfectly entitled to make that choice. The international community, as I have stated many times before, must provide Indonesia with the

necessary support for that part of the equation to be effectively addressed.

I repeat that the comprehensive plan of action of the Indonesian Government is viable, and we support it. UNHCR, the International Organization for Migration and other humanitarian agencies can proceed with the registration of the refugees, and with their return or settlement in Indonesia, in close partnership with the Indonesian Government, and UNTAET will fully support that process. In fact, as we all know, the problem could have been solved long ago had the militia been removed from these refugee settlements and had humanitarian agencies been allowed to do their job and determine freely who wishes to return and who wishes to remain.

Ambassador van Walsum of the Netherlands asked me how much progress had been achieved in involving the East Timorese, or rather whether the East Timorese felt they had ownership of the process. I wish that my friend and partner, José Ramos-Horta — who is present and whose cooperation with us and support for UNTAET I wish to salute and pay tribute to — could respond, because this is a question that the Timorese might be in a better position to answer.

Let me simply say that the following are significant steps in that direction: the cabinet structure — the fact that we will soon be appointing deputy cabinet members in all the four cabinet pillars, not only in the four that are currently the responsibility of the East Timorese; the appointment of a Timorese inspector general of the Transitional Administration; the appointment in the coming days of a person of East Timorese origin who will be in charge of planning, development, environment and gender issues, also as part of the Transitional Administration; the fact, as I have indicated, that I have just appointed 13 district administrators and deputy district administrators; the fact that we have so far recruited 5,400 civil servants, out of the total of 10,000 approved as part of the first fiscal year, 2000-2001; the fact that I will soon be appointing the 33 members of the new national council, following broad consultations at the central and district level; and the fact that the judiciary is composed, in its vast majority, of Timorese judges, investigating judges, prosecutors and public defendants. Much more can still be done, and I can assure the Council that we will continue to consult with our Timorese partners to do as much as we can to implement the mandate that the Council has given us.

I keep saying that there is no better way of preparing the East Timorese for self-governance than through self-governance. So I can assure the Council that the Timorization process will continue and in fact be further accelerated.

(*spoke in French*)

Ambassador Levitte asked me my evaluation of the coalition Government and what improvements might be made to it. My evaluation is absolutely favourable. I am impressed by the sense of responsibility and commitment shown by the four Timorese members of our cabinet structure, and by the cohesion and harmony that exists among them and between them and us — the international side.

What improvements might be made? I would say that undoubtedly we should in the next few weeks make the coalition Government more representative than it is at present. We need to see an increasing affirmation of the diversity of the Timorese political force. It remains to be seen what will happen next, Mr. Ambassador.

(*spoke in English*)

The representative of Jamaica referred to assistance in the form of quick impact projects. She must have known she was touching on a subject very close to my heart. I can assure that through the UNTAET fund and other, smaller OCHA and UNHCR funds, as well as through bilateral contributions made since late last year, these quick impact projects are the ones that perhaps provided the East Timorese population with the most visible, the most immediate confirmation of international solidarity. I regret to say that all those funds are now practically exhausted and that all that we have to rely upon is the World Bank-funded community empowerment project, which has taken over the funding of this type of project. This is certainly one of the big lessons of this operation. We should in the future provide missions of this kind, as we have seen in the past, with sufficient funds to launch these kinds of projects across the entire country.

I believe I have covered most of the questions that were put to me.

(*spoke in French*)

Ambassador Levitte raised a question on behalf of the European Union and the associated countries. He referred to the budget for the first fiscal year, 2000-

2001, which was adopted at the donors conference in Lisbon. I would like to say in that connection that the budget adopted, less than $60 million, which should have been enough to enable us to govern Timor and supply the Timorese population with the services that it so sorely needs, is one that I have often described as cruel. It is entirely inadequate. But we knew that we had to remain within the limits of the resources that the donor countries were willing to make available to us. The budget will not enable us to fund a number of activities that seem indispensable to us and that we are identifying as we discover the magnitude of the task that the Council has entrusted to us. I am afraid, and I wanted to inform the Council right away, that I will have to approach the donor countries with certain new needs at the donors conference in Brussels in early December. I thank Ambassador Levitte for having given me this opportunity to raise this very urgent problem because, on a daily basis, we discover new needs that are not covered by the first consolidated budget for the fiscal year 2000-2001.

I would like to take this opportunity to pay a heartfelt tribute to my friend Bernard Miyet. This afternoon's meeting is, I believe, the last one he will be attending as Under-Secretary-General for Peacekeeping Operations, and I would like to tell him that his leadership over the last three and a half years in this very important task was of crucial importance in preserving the role of the Organization in peacekeeping and peacemaking. We know that this is not an easy task, in particular, in the implementation of the ambitious mandates we are given by the Council nowadays, the new generation of mandates of administration and governance, such as the United Nations Transitional Administration in East Timor (UNTAET). I would like to express to him, on behalf of all my colleagues in UNTAET and on behalf of all the peacekeeping mission staff throughout the world, our warmest gratitude and our abiding friendship. We wish him the best in his new activities.

I thank you very much, Mr. President, for having invited me here today, for the opportunity to make this presentation today and for your guidance and support.

The President *(spoke in French)*: I thank Mr. Vieira de Mello for the clarifications and answers he has provided.

Before adjourning, I would like to discharge a duty of conscience and also to pay tribute, on behalf of the Council, to Mr. Bernard Miyet, Under-Secretary-General for Peacekeeping Operations.

First of all, the duty of conscience: this is the last public meeting for the Security Council in the month of September, under the presidency of Mali. Before taking up the presidency on behalf of Mali, I did not think that the task of presiding over the Council would be cumbersome in the first half of the month in view of the general debate that was being held at the time in the General Assembly. However, recent developments in various situations throughout the world compelled us to break with tradition. The Security Council was thus required to be active during the general debate, and a number of meetings of experts were required. I am very grateful to all members for their understanding and cooperation.

The second half of the month has been very difficult. Members' support and cooperation continued, and I am very grateful. Additionally, our task was made much easier by the Secretariat, which gave us instructive presentations and good advice. I would particularly like to thank Mr. Stephanides and his team for their help and their reliability at all times.

Finally, and most importantly, I would like to thank the interpreters and the translators, who worked very skilfully for long hours alongside the members of the Council.

Now I would like to pay tribute to Mr. Bernard Miyet on behalf of the members of the Council. His function as head of the Department of Peacekeeping Operations is now coming to an end, and his skills are required elsewhere. On behalf of the Council, I thank him for the great contribution he made to the work of the Secretariat and for the dedication with which he served to further the objectives of the United Nations. I wish him every success in his future endeavours.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6.20 p.m.